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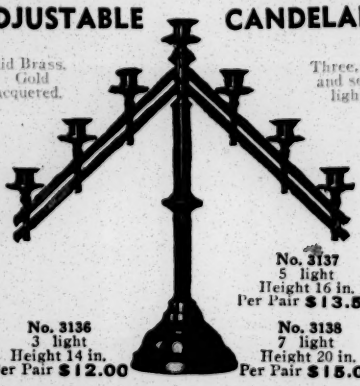

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THE ECCLESIASTICAL REVIEW

NINTH SERIES.—VOL. X.—(XC).—MAY, 1934.—NO. 5.

CHRIST AND THE OTHER SHEEP.*

Our Human Coöperation in the Divine Work of Redemption.

ACCORDING TO THE 1933 OFFICIAL CATHOLIC DIRECTORY, the number of converts received into the Church during 1932 in the United States was more than 46,000. The number of converts in the United States in 1933 was more than 60,000. There were nearly 14,000 more converts in 1933 than in 1932. Thus a sharp increase of nearly thirty per cent in conversions characterized the Holy Year set aside in commemoration of the Redemption.

What factors were responsible for this fact? No significant changes in our methods of convert-making appear to have been introduced last year, at least no changes important enough to account for such a striking rise in the rate. In the twentieth as in the first century, the supreme cause of conversions is not man's methods, but God's grace. Paul may plant and Apollo water, but God giveth the harvest.

In the truest sense conversion is a normal function of grace. All of us, whether born within or without the fold of the Catholic Church, are converts, converted, under the operation of redeeming grace, from children of Adam to children of God. The history of the Church is a history of conversion. The history that finds its way into our manuals is very largely the history of the external life of the Church. The real history of the Church—most of it passed by unheeded by the historian—is

* This is the fifth and concluding article in the series on the Redemption of Mankind. These five articles, which began in our January issue, will be issued in book form at once, for their homiletic helpfulness in preaching the Jubilee which began 8 April, 1934, and which will run until 28 April, 1935.—EDITOR.

the history of man's redemption and conversion, of the working of the Spirit of God in the hearts of men, of the building of the temple of the Holy Ghost in human lives.

Some day we may have such a real history of the Church. As it is, most of this real history has never been written. To illustrate by just one example. Where shall we turn to find a real history of what Christianity has done to raise the status of woman? We have plenty of generalities and platitudes on the subject; we have a flowery passage from Lecky; we have fragments of fact scattered through our vast tomes of historical lore. We have nowhere a thorough, impartial, critical study from a Catholic pen of what we Catholics have done during these nineteen hundred years under the influence of divine grace toward giving to woman the true dignity which Catholic dogma and morality affirm to be her due. No Catholic historian has taken up the gauntlet thrown down by Westermarck. By their fruits you shall know them. In how far have we Catholics done our part under God's grace really to raise the position of woman? In how far have we failed? What are we doing to-day to raise it? One could ask the same questions regarding many another important item that goes to make up the spiritual and moral ideal proclaimed by the Redeemer of mankind. Given the present state of scientific Catholic history, to most of the questions the answer would be about as difficult to formulate—or at least to prove!—as to these.

Yet we know that only by building up the Kingdom of God in our own hearts and in our own Catholic lives can we do our human parts toward building it up in the lives of others, that is, toward "converting" them. Conversion begins by converting ourselves. This is the keynote struck by the Holy Father in the present movement for Catholic action, as it has been the keynote struck from the beginning of Christianity. "By this shall all men know that you are my disciples, that you have love one for another." Sanctity, in so far as it is a *mark* by which the Church of Christ is to be recognized of men, is first of all the sanctity, the love of God and of man, the concern for the honor of God and for the welfare of man, obvious or observable in the individual members of the Church.

The conversion of non-Catholics to the Church is and will ever be a fruit of the Redemption, the work of redeeming

grace, of the Spirit that breatheth where He will. But so far as we members of the Church can and will coöperate in this divine work, we give our best coöperation by manifesting in our lives the fact that we ourselves have been converted. We must as individuals and as a group carry on our apostolate of words. But above all we must carry on the apostolate of deeds. In how far are we doing so? In how far can we really *prove* that we are doing so even to a well-disposed non-Catholic? Are we in our own lives carrying out the ideals of our Founder so much better than those who have not the grace of Catholic faith, that even the hostile unbeliever must at least acknowledge the facts?

We organize very fine processions of Catholic men in profession of their respect for the Name of God and in protest against indecency of language. These are splendid manifestations of faith in an ideal. How much better and how much more convincing to the non-Catholic they would be, however, if we could point with pride not only to the long processions and great field Masses but also to an established fact that Catholic men are appreciably more clean and reverent in speech than non-Catholic men are. Have we any such proof? Over and over again Catholic college students have vehemently expressed their own honest convictions to the present writer that there is more indecency in language on Catholic campuses than on non-Catholic ones. Such a statement is more easily made than proven, but so too is the denial of this statement. Have we in reality cleaner lips than those not of our faith? Are we so much cleaner and more reverent in speech that the world may know that we are the disciples of Christ because we love His Name and on account of this love make more reverent use of it?

A good Catholic is a good citizen. Yes, theoretically. In reality are we as Catholics better citizens than our non-Catholic brethren? Do we individually and as a body stand for and actively support cleaner politics than do non-Catholics? Are we better informed than are our non-Catholic fellow-citizens upon civic issues that affect so deeply for weal or woe the material and spiritual fortunes of the people of our land? Is it a well-recognized fact in American life that the great majority of Catholics are usually found on the side of honesty and

probity in civic issues and usually found as supporters of the higher type of statesman? Or do we in our tens of thousands give our votes and our enthusiastic support to the plausible, ingratiating non-Catholic politician or to the professional Catholic in politics who gives fulsome and pious talks at Communion breakfasts on Sunday and who votes on Monday for iniquitous and oppressive laws at which honesty and justice shriek?

Catholics are sometimes charged, not by the gentlemen of the white hoods and nightgowns, but by sympathetic and kindly disposed non-Catholics, with a certain clannishness in civil affairs. This clannishness, they regretfully hold, takes the form of a tendency to be very active in civic issues when distinctly Catholic interests are at stake and to be relatively indifferent when other civic issues are being promoted by progressive and decent citizens. In how far are these honest criticisms justified? We all know very well that there is a great deal of justification for them. Even if we put the matter merely on the low level of enlightened self-interest, would it not be wiser for us to work shoulder to shoulder and in far greater degree than we are doing to-day with those of our non-Catholic fellow-citizens who are, according to their lights, honestly and often most disinterestedly working to bring about a greater measure of justice and fairness in our common civic life? How can we expect them to draw closer to the portals of the Church when we refuse or neglect to take part with them in the very work that is our own? Is there any great civic issue that is not at the same time an issue of neighborly love, of Christian justice and charity?

The shibboleth, social justice, is beginning to be heard more and more from Catholic lips. It is nearly time. There are, of course, many causes that lie back of the strongly anti-Catholic and anti-religious currents in the modern socialistic and communistic movements. For some or perhaps most of these causes we as Catholics cannot be held to blame. But for one we can, and it is a very important one. Great economic evils and injustices arose and spread, particularly with the rise and spread of the industrial revolution. The wretched story has been often told and need not be retold here. Though aware of these injustices, for long decades we Catholics were silent and asleep. We talked justice; we did not practise or work

for it. For long decades we paid little or no heed to the cry of the poor and of the oppressed, and we did little or nothing to relieve either the pauperism or the oppression, except to give a mite from our charity. Has the great Newman, to cite just one instance, in all his many works a single word of protest against the shocking injustices at his own back door? Was he deaf, or was he distracted? Did he do aught by word or deed to strengthen the arm of the little band in England who were fighting, against powerful odds, for the cause of elementary and obvious Christian justice to the poor?

The founders of modern economic radicalism saw the gross injustices in our industrial life and saw the followers of the Divine Friend of the Poor callous or at least comatose before the injustices being wrought upon the poor and even profiting directly or indirectly from these very injustices. It was illogical, but nevertheless it is understandable that they should say: "You preach justice, but you don't practise it. If this is your Christianity, we are through with it and with you. Who is not for justice is against it!" It is true two great Catholic laymen, Ozanam in France and Brownson in America, spoke in protest, but hardly a handful of Catholics listened. Ketteler spoke and Leo XIII spoke, and again how many Catholics listened? Forty years passed and Pius XI spoke. Yet to-day how many Catholics really take the message to heart? We are only beginning to awaken. After a century and a half of sleep it is nearly time to awaken, but many Catholics, probably the overwhelming majority, are still asleep, and they are not asleep in the Lord. They are asleep in their smugness and own selfishness. Not only by what we do, but also by what we leave undone, shall we be judged by God and man.

It has been our proud boast that we as Catholics have always been the friends of the poor. In what measure we have been during our long history is a matter for the historian to decide, in the light of all the facts and factors and after a sober and impartial balancing and weighing of these facts and factors. It is not a question to be decided by the fluent Catholic columnist or by the smart Catholic essayist. But even supposing we come off clean at the tribunal of history, we cannot live on our past. It is not enough that we have Moses for our father. The important question is: Are we in a genuine sense the

friends of the poor to-day? Are Catholics to-day really taking their due share of leadership and followership in relieving "the misery and wretchedness", to quote Leo XIII, "which press so heavily at this moment upon the large majority of the very poor". It is true we have a few outstanding, we might almost say, heroic Catholic leaders in this field in the United States, men and women who have been fearless in applying to the concrete questions of social justice the eternal principles of right proclaimed by Leo XIII and Pius XI. But how often have the unconverted forces within our own Catholic ranks dubbed these fearless leaders "socialists", just because these leaders were honest and Christian! A man's worst enemies are often those of his own household.

A great swelling movement for justice to the poor is gradually making its way into our modern post-pagan economic life. In how far was this movement born of the Catholic spirit and initiative? Or have we been the laborers—even where we are laboring at all and not sleeping in the marketplace—who took up the task at the eleventh hour after non-Catholic humanitarians, and often even atheists, had borne the heats and burdens of the day?

Notwithstanding our inaction, we have in the main held our own Catholic masses. If we continue this inaction, shall we continue to hold them? And what of the great masses outside the Church, the other sheep? Has our conduct as Catholics been such as to make clear to them, so that they who run may read, that we really are to-day the friends of the poor? Can we hope to bring them into the fold of Christ's Church, unless we prove ourselves His disciples, and prove it, not by arguments from Scripture and reason, but by the living arguments of our own lives? As Catholics we have been reasonably generous in alms and in good works. But what will our charity avail unless we seek justice first? And how shall the world know that we are disciples of Christ unless we love one another with a love aflame with zeal for justice as well as with zeal for charity? It is folly to talk of making the American masses Catholic, unless we begin our work by showing, not in boastful words or in blatant resolutions, but in deeds, an intelligent, high-minded, disinterested zeal for justice to the poor.

It is hard for us to-day, as it has always been hard, to take

to heart the bitter but eternal truth that a prosperous generation of Catholics or of pagans does not easily enter into the Kingdom of God. Nor do we get others to enter into that Kingdom unless we use such prosperity as the stewardship which the Giver of all good gifts intended it should be.

To pass to another point, the twelve million non-Catholic colored people in the United States. We have filled our history text books with braggart praise of the work of Las Casas in saving the American Indian from the bonds of slavery. We have little to say about the systems of forced Indian labor that have often been little better than slavery itself. Our text books usually have still less to say of the impulse given by Las Casas to the introduction of Negro slavery into the New World. There have been few blacker blots on Christian history than our comparative failure to prevent, combat, and uproot Negro slavery. It is true that official protests were made. It is true a Peter Claver did heroic work. It is no doubt true, too, that the essential spirit of the Catholic faith, with its fundamental democracy and with its emphasis on the sacredness of human personality and on the dignity and rights of human beings regardless of skin color or hair texture, has silently operated as one of the forces that did away with Negro slavery. But did we Catholics really do our fair part? Did we take anything like our proportionate share in opposing and in fighting this un-Christian institution? Did we really take the matter seriously? Did we follow up the recommendations and protests from the highest Catholic authority by systematic, energetic, unflagging, courageous and intelligent combating of this tragic evil? Did not more than one of our own Catholic leaders in this country play and dally and compromise, where in all human justice there was no room for compromise, at least no room for compromise in moral principle?

The educated American Negro of to-day knows well the story of injustice and inaction, and in another generation the great mass of American Negroes will be equally well informed. The educated colored leaders are doing the informing and are doing it thoroughly and intelligently. Meanwhile by our inaction in the face of the unjust discriminations that are an aftermath of Negro slavery, we are taking a most deadly means to stifle whatever sympathy the non-Catholic Negro may still have for the Catholic Church.

Perhaps there is yet time, but we shall have to act quickly if we expect any large numbers of the colored race ever to enter the Church. Certainly we shall not get them to do so by giving them schools and orphanages, and at the same time doing nothing to get them justice. Protestant denominations and liberal humanitarian groups, and not we, have in recent years taken the initiative in pleading and working for justice to the Negro. We Catholics are again asleep. The question of intermarriage is not here under discussion. That is a question that has little to do with justice. We are speaking instead of the grave injustices that still bear down upon the Negro in America, the grossly unfair discriminations against him in economic, political, civic, and even religious life. Instead of standing for justice to him, we have been pussyfooting and following a policy of weak and spineless compromise, of compromise not merely with facts but also with principles. Nor are the little sops we are throwing to him in the way of charity doing much more than adding fuel to the white-hot fires of indignation in the Negro heart against the injustices to which education and other forces are making him more and more keenly alert, and less and less submissive.

Many Catholics delude themselves with the folly that the ceremonies and externals of the Catholic Church constitute such a telling appeal to the Negro temperament, that the Negro, 12,000,000 strong, will rapidly be drawn into the Church by the witchery of our ritual, once he knows how attractive it is. Why do we live in such a fool's paradise? If we are to convert the Negro to the Church we must begin by converting ourselves to justice toward the Negro.

Justice first, a justice that must be fearless, a justice that may have prudently to adjust itself in minor matters to reality, but that must be rigidly uncompromising in principle and in application, offers to-day the only large and hopeful appeal to the Negro. There may yet be time frankly to confess our sins of the past, to repent thereof, and to follow up that repentance by vigorous action. That way and only that way seems to lie hope of bringing into the fold of Christ any large proportion of the great non-Catholic colored population of the United States.

We have much to say about birth control. Our opponents

fling in our teeth the flippant charge: "Class for class, you practise it just as much as we do". The present writer believes that this charge is an exaggeration, but in all honesty we have to admit that it is much more than a half-truth. It would be interesting to have a fertility census made of the Catholic organizations that pass such vehement resolutions condemning contraception. Meanwhile our opponents keep saying: "Your actions speak so loudly we cannot hear what your resolutions say". Perhaps they are wrong, but can we prove it? An objective study would not be so difficult. Have we the courage to undertake it and to publish the facts to the world?

Our list of questions could be continued through many pages. Are we, for example, more sober and temperate in drinking than those outside the Church? Have we greater humility? Are we more even-tempered? Are we more kindly in judgment and speech? Are we more truthful and honest? A quite recent test of honesty in academic examinations made under Catholic auspices shows that the group of Catholic high-school students actually tested scored significantly lower in honesty than comparable students in public schools. Perhaps, it may be answered, the group was not representative. But it would be better if we could counter with equally objective tests showing that representative Catholic groups do score higher in honesty.

A final point from another field, the field of mind rather than of morals. We have a fascinating Catholic literature on the history of Catholic contributions to science. This is history of which, all in all, we have reasons for at least tempered pride. It is interesting, for instance, to recall that two of the trio—Mendel, Darwin, and Pasteur—who probably were the outstanding geniuses in an important constellation of sciences during the last hundred years, were Catholics. One of them, it is true, did not work so very hard at his religion. As against this, the other was an exemplary member of a religious order. But, after all, both Pasteur and Mendel have been dead for many years. And we are living to-day. Can we build our Catholic status in science on dead men's bones or achievements? In the whole catalogue of the sciences is there any one in which two-thirds of the leaders to-day are Catholics? Are there any sciences in which even one-third are Catholics? To come

to our own country, is there any one science in which even twenty per cent of the real leaders are Catholics? Is there any one of the great sciences in which we Catholics are represented in due proportion among the American leaders?

Five years ago one of our ablest American Catholic physicists wrote as follows: "There are five exceptionally highly rated physicists in this country, three of whom have the Nobel Prize. None of them is a Catholic. There are, in addition, nineteen physicists of high standing. I do not know any of them to be a Catholic, although I cannot positively state that none is." The present writer, speaking for his own special field, has regretfully to admit that of the ranking twenty or twenty-five leaders of anthropology in the United States, not one is Catholic; of the first hundred in rank, not five are Catholic. Of two hundred and fifty scientists recently singled out by vote of their confrères for distinguished contributions to science, less than ten are Catholics. The present writer would be very loath to have to defend against an informed challenger the proposition that five or even three per cent of leadership in American science is Catholic. Yet we Catholics constitute about twenty per cent of the population of the United States.

It is perfectly true that our resources in brains, personnel and finance have been taxed to the uttermost to meet a gigantic spiritual emergency during the last hundred years of tremendous immigration. Thank God, too, that we devoted these resources to the meeting of this supreme emergency, and not to the arts or sciences. We have no apologies to make for the zeal, intelligence and efficiency with which this unprecedented spiritual emergency has been met. But while this largely explains our failure to take our due part in scientific achievement, it does not for a moment justify our unjustifiable scientific conceit, nor does it excuse the glib superiority and superficiality with which Catholics often speak of our Catholic scientific attainments and research. Whether we like it or not, there is only one open-sesame to status in science to-day, that is, new contributions to the sum of human knowledge. There is no other.

Our Catholic institutions of advanced learning are doing well in their task of passing on the torch of knowledge to the

young, but unless we use the torch to set new fires we have neither status nor hearing in the scientific world. Our institutions have been handicaped by lack of endowment and other funds, but had even ten per cent of the budget for athletics been consistently transferred and allotted to the near-zero budget for research and technical publication, our academic as well as our scientific status in the United States would to-day be more creditable to the Catholic name and more in line with our boasted traditional encouragement of science.

We put out ambitious books covering the whole range of this or that science before we do the hard laborious sweating that is involved in research. And without such preliminary research by the authors of these books, the books carry and usually deserve to carry little or no weight in the scientific world. Nor do our discussions of large scientific problems carry weight therein, unless the discussions are carried on by those who have status in the technical field. We have issued a number of elaborate discussions of, for example, evolution and related problems. Most of these discussions have been written by men who were not specialists in the sciences involved. Scientifically the discussions have been still-born. And incidentally many or most of them are honeycombed with errors of fact that bring discredit on the Catholic name.

It may be an open question just how far the scientific leadership of to-day will mould the popular views and attitudes of to-morrow. The supposed *Allmacht* of science in moulding public opinion has no doubt been exaggerated. Public opinion is moulded by many other things besides science, even in this scientific age. It is moulded by wishes and interests, for instance, as well as by knowledge and thoughts. But no one can question that science is one of the great influences. If we as Catholics expect to carry any weight with the scientific world, to secure a sympathetic hearing in that world, and to win that world to Christ, we must begin by taking our place in in the technical ranks. The only ladder up to this place is the ladder of research contributions.

Our long jeremiad could be continued, but enough has been said to illustrate the burden of the present paper. Perhaps too much. The picture sketched is confessedly incomplete, with only the shadows and darker hues painted in. It would

have been a more congenial task to have painted the highlights. It would perhaps have been better still to have painted the whole picture, the divine successes as well as our human failures, and so to have thrown into relief the vast work of conversion, the great fruits of Redemption in converting to better ways those already in the fold and in leading those without the fold to the Good Shepherd of souls.

We might have emphasized such vast achievements as Christianity's establishment of faith in one Supreme Creator and Moral Lawgiver among one third of the human race; her long and victorious struggle against that grisly arch-enemy of God and man, superstition; her triumphant battle to embed in human minds a recognition of the supreme value of the individual human being, the eternal worth of every human soul, regardless of age, sex, race, religion, or social or other condition; her mighty influence for good upon domestic, economic, political, and international institutions and relations; her age-long fight to secure to men their daily bread and to protect and build up health of body and mind; her incomparable prosecution of the works of mercy in their myriad aspects and developments. We might have passed in review the long procession of heroic Catholic saints, or have turned our eyes to the legions of uncanonized saintly members of the Church who without observation live Christ daily in our parishes.

The apostolate of deeds is not new in Catholic life. It has played an honorable and noble part in all ages and plays that part to-day under redemptive grace in bringing into the fold of Christ the other sheep. For all this and more we may gratefully and joyously sing our Te Deums.

But even at a time of Jubilee rejoicing, is it not worth while, in all humility, to search our consciences in order to see if aught has been and is amiss about our human coöperation in the divine redemptive work of conversions? Along this line would seem to lie our better hope for more active participation in the work of Redemption which we celebrate.

To summarize what we have tried to say, and perhaps have said too crudely and too dogmatically. Sixty thousand converts in 1933 as compared with forty-six thousand in 1932 is a hopeful sign, one that seems to betoken a special outpouring

of redemptive grace during this Holy Year. That this number, three converts per one thousand Catholics, is not greater, is to be attributed, certainly not to the failure of grace, but largely to the failure of us Catholics to do our coöperative part. The apostolate of words—books, pamphlets, missions, and so forth—will help. But more important still seems the apostolate of deeds, the apostolate of Catholic living. Three large groups in the United States must be brought into the fold: the great masses, the educated classes, the colored population. We cannot live on our past record; the non-Catholic world is impressed mostly by what we are and do to-day. So far as the apostolate of deeds of charity is concerned, we are probably doing our fair part. Are we doing our part in the apostolate of justice? By this shall all men know we are His disciples and our church the Church of Christ, that we love our fellow-men not only in charity but as well in justice.

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THE SIX PRECEPTS OF THE CHURCH.

Their History.

IN PREPARING A PAPER on the History of the Six Precepts, the writer followed to some extent the treatise *A History of the Commandments of the Church,* by the Rev. A. Villien. This volume is not entirely satisfactory to the American reader, for Villien, a Professor of the Institut Catholique of Paris, naturally follows the French precepts, which differ in some respects from those of the American Catechism. To point to a single instance, it may suffice to say that the sixth precept of the Baltimore Catechism is completely missing in the French Catechism. Besides the volume mentioned, the writer has made extensive use of other works, references to which will be given in the text. Occasionally he has followed independent roads, volunteering his own views, which at times differ from those expressed by Villien and other writers.

I. Obligation to Hear Mass.

The Baltimore Catechism defines the first precept of the Church as follows: "To hear Mass on Sundays and holy days of obligation." What is the history of this first precept?

The New Testament tells us that the first Christians attended the Sabbath service in the Jewish synagogues. At the same time, the Acts (20: 7) and the first Letter to the Corinthians (16: 2) mention the breaking of bread, preaching and the collecting of alms on "the first day of the week," which is Sunday. Villien thinks that the first Christians celebrated the divine mysteries in the following way: "After having assisted at the services in the synagogue the Apostles and their disciples came together, apart from the Jews, to partake of the Eucharistic meal 'in memory' of Christ. Their gathering began toward evening and lasted till daybreak" (p. 25). Monsignor Duchesne gives a more detailed explanation of the origin of Sunday. He says: "From a very early period, the Christians adopted the Sunday. It is possible that, at the outset, the choice of this day was not suggested by any hostility toward Jewish customs, but that they observed it merely in order to have side by side with the ancient Sabbath, which they celegrated with their Jewish brethren, a day set apart for exclusively Christian assemblies. . . The observance of the Sunday was at first supplemental to that of the Sabbath, but in proportion as the gulf between the Church and the synagogue widened, the Sabbath became less and less important and ended in being entirely neglected."[1] This is obvious when we remember that, with the advance of time, the Christian Church was more and more recruited from the ranks of the Gentiles, the proportion of Jewish converts growing smaller each year. The celebration of the Mass became more and more the nucleus of all Sunday sanctification.

The Didache, the oldest Christian document outside of the New Testament, contains the following passage: "On the day of the Lord unite yourselves, break the bread and give thanks after having confessed your sins, so that your sacrifice may be pure" (xiv, 1). St. Justin speaks plainly of the assistance at Mass[2] and Melito of Sardis composed a whole treatise on

[1] *Christian Worship*, London, 1903, p. 47.
[2] Apolog. i, 67.

the observance of Sunday, which treatise, unfortunately, is lost. Likewise St. Irenaeus speaks of the celebration of Mass on Sundays and the gathering of the Christians to assist at the Eucharistic sacrifice. With the growth of the Church, laxity set in. As early as the Council of Elvira (A.D. 306) we find the following enactment: "If anyone remains three Sundays in a city without going to church, he shall be deprived of communion for a time." [3] The *Apostolic Constitutions,* which reach back to the end of the fourth century, have the following passage: "We, Peter and Paul, decide that during five days of the week slaves shall work, but that they shall pass Saturday and Sunday in church." [4] In the sixth century, St. Caesarius, Bishop of Arles, says in a sermon, exhorting the Christians: "On Sunday, let no one omit assistance at Mass and lazily remain at home."

The abuse of leaving Mass before it is ended, is old. As early as the Council of Agde (A.D. 506), we find the following decree enacted: "We ordain, by a very special prescription, that lay people assist at the entire Sunday Mass and that no one presume to leave before the priest's benediction. Those who dare to do so, shall be publicly reprimanded by the bishop." [5] In the life of St. Caesarius we read that the bishop had sometimes recourse to drastic means of enforcing the law: "Immediately after the gospel the doors of the church were closed, thereby forcing all to remain until the end of the service." [6]

Up to this time, the precept of hearing Mass on Sundays seems to have been obligatory only for those who lived near a church or in an episcopal city. A council of Rouen, however, exhorts the pastors to notify their parishioners in the interior of the country, to send the drovers, swineherds, shepherds, and ploughmen who lived as though they were not human beings, to Mass on Sundays and holy days, or at least to allow them to attend. To insure the help of a good example for all, the same council pointed out the practical means to be employed by pastors in obtaining the attendance of their negligent parishioners at the Sunday services: "In each city and town loyal

[3] Conc. Eliberitan., c. XXI.
[4] Constit. Apostol., L. VIII, c. XXXIII. P. G., t. I, 1133.
[5] Conc. Agathen., c. XLVII.
[6] Migne, P. L., t. LXVII, 1010.

and God-fearing men were to be chosen to urge the careless and negligent and to denounce to the priests all who were neglectful of their duty."[7] After the year 1000 the political authorities enforced the Sunday sanctification and punished by means of "handcuffs" and a "shaved head" those who neglected to attend Sunday Mass.[8] Sometimes blows or the paying of a fine were imposed on those who disregarded the attendance at Sunday Mass.[9]

In the Middle Ages the Sunday obligation had to be fulfilled in the parish church. For this reason, provincial councils enjoined the parish priests to say Mass on Sundays in their parish churches, and forbade, at the same time, the nobility to invite pastors to say Mass on Sundays in their castles. The Council of Nantes, held about 658, gave the pastors the right to expel on Sundays any strangers from the parish church unless they were travellers. The Council of Rouen (1235) forbade priests without parishioners to admit anyone to their Masses on that day.[10] To make it possible for all people to attend the parish Mass, the duty to binate devolved on the pastors.

The obligation to attend Mass on Sundays in the parish church brought about a dispute between parish priests and the regular clergy which lasted for centuries. It would lead us too far afield to enter into every stage of this bitter struggle. May it suffice to say that both parties went at times, in the heat of the struggle, to extremes. Thus, for instance, a Council of Buda (1279) enacted a law forbidding people to assist at Mass on Sundays in the churches of regulars even though they were parish churches. Several popes tried to settle this dispute, sometimes contradicting decisions given by their predecessors. The Council of Trent did not insist on the obligation of assistance at Mass in the parish church and finally, in the course of time, the former rigid laws, wherever such had been enacted, fell into disuse and were abandoned. Traces of these former laws, however, may still be detected, for the writer knows from

[7] *Vide* Villien, pp. 37-38. Conc. Rothomagen., A. D. 650, c. XIV and XV.

[8] Constitutiones ecclesiasticae sub S. Stephano rege Hungariae conditae circa ann. 1016, c. VII. Mansi, t. XIX, 371.

[9] Conc. Apamien. (1212), c. VII. Mansi, t. XXII, 357.

[10] Nova precepta domni Petri de Colle medio (1235). Mansi, t. XXIII, 403.

personal experience that in some country districts in Europe people still consider it an obligation to attend the parochial Mass on Sundays.

Apart from Sunday, early Christianity celebrated feast days. Their origin may be seen in the celebration of the anniversaries of the martyrs. In the beginning feast days were purely local observances. The earliest evidence of such anniversaries is found in a letter of the Church of Smyrna, telling of the martyrdom of its bishop, St. Polycarp. Soon this custom of celebrating a martyr's anniversary became a permanent institution. St. Cyprian speaks of it as a constant practice.

Easter and Pentecost, falling always on Sunday, were celebrated in Apostolic times. The Jewish celebrations of Pasch and Pentecost were superseded by the remembrance of the Lord's Resurrection and the descent of the Holy Ghost. Soon Christmas as a special feast day was added. This day was celebrated in some sections of the Christian world on 25 December, in others on 6 January. The dispute over the date of Christmas in the early Church is too well known to be discussed here. Of an early date were also the feast days of the Apostles, of St. John the Baptist, the Holy Innocents, the Machabees, the feast of the Ascension, and feasts of the Blessed Virgin. Many of these feasts were first celebrated by a particular church and then spread throughout the universal Church. "It is impossible," says Father Villien, "to quote a text of the Fathers or of councils—at least we know of none —instituting this obligation. It was, however, established firmly enough in the second half of the fourth century. We have proof of it in a text of civil law. A rescript of the emperors Valentinian, Theodosius and Arcadius, enumerates among the days on which legal action could not be taken, the principal Christian feasts, namely, Easter, with seven days either preceding or following the feast, Christmas and Epiphany, and the feasts of the Apostles Peter and Paul; all these feasts were added to the Sunday." [11] The obligation to attend Mass on the feast days was not universal. Local customs seemed to have prevailed. Great differences in the solemnization of the various feasts are recorded. Many of these feast days were merely festivals of devotion.

[11] P. 116.

It is not until the sixth century that we find a precise decree with regard to the obligation to attend Mass on feast days. The Council of Agde is the first one to give a list of the feast days and to make attendance at Mass on such days obligatory. St. Caesarius, Bishop of Arles, considers, however, these feast days as a little less than Sunday.

Toward the end of the first millennium of the Church's history, a great number of new feast days were added to the ecclesiastical calendar, but there was no unformity either as to the number of the feast days or to the severity of the obligation to assist at Mass on such days.

With time, new feasts were added everywhere. Each section of Christianity—France, Italy, Germany, England—had its own list of feast days, and each diocese and each city observed its own calendar. The list of feasts was ever growing and with the increase in number certain evils and disadvantages amongst the people also multiplied. Finally, listening to well-founded complaints which came not only from the secular powers but also from bishops in Germany, England, Italy and other countries, Pope Urban VIII published in 1642 his well known bull *Universa.* Giving the reason for this papal decree the Pope says: "The number of feasts and their diversity are such that many no longer know which are to be observed *de praecepto,* and which are purely devotional. Their very number begets lukewarmness among Christians. What is more, the poor clamorously lament that the excessive multiplication of feast days deprives them of the means of sustenance; and others take advantage of it to abandon themselves to an idleness that is full of perils. . . Pope Urban VIII reduced the number of obligatory feast days to thirty-four — the same thirty-four on which the pastors nowadays are obliged to say the *missa pro populo.*

Complaints as to the still excessive number of feast days continued. Under the pressure of public opinion, the urgent counsel of political authorities, and the desire of bishops, to harmonize with national customs and the spirit of the time, the popes, in the course of time, made concessions to countries and dioceses, reducing considerably the number of feasts. According to the Code of Canon law, the feast days of obligation for the universal Church are those that follow: Christmas, New

Year's Day, Epiphany, Ascension of our Lord, Corpus Christi, Immaculate Conception, Assumption, St. Joseph's Day, the festival of St. Peter and St. Paul and All Saints' Day (can. 1247). By a decree of the S. C. de Propaganda Fide, dated 25 November, 1855, the six feast days singled out by the Third Plenary Council of Baltimore were decreed as obligatory for the United States. They are: the Immaculate Conception, Christmas Day, New Year's Day, Ascension, Assumption and All Saints' Day.

II. Fast and Abstinence.

The second precept contains two laws: the law of fasting and that of abstinence.

When mentioning the second precept, nearly everybody thinks at once of Friday as the day of abstinence. In fact, the abstinence precept seems to be, generally speaking, well observed by the Catholics of the United States. Far less strict seems to be the observance of the precept to fast on the days appointed. There are so many dispensations granted and so many plausible excuses—for everybody in the United States is working hard, or has to refrain from injuring his or her health, and especially his or her nervous system—that it may reasonably be questioned whether or not the precept of the fast, with the exception of certain traditional days such as Good Friday and Ash Wednesday, is much observed by our modern generation, notwithstanding the annual publication of the Lenten regulations. We may say that, with our people nowadays, the emphasis rests upon the Friday abstinence, while in early Christian times matters were reversed. Early Christianity practised a rigorous fast and in consequence of this fast refrained from eating meat on certain days.

FASTING

Fasting is a religious observance which is met with among nearly all peoples and all religions. God enjoined fasting upon the people of the Old Testament. Jesus Christ and the Apostles fasted. And the first Christians followed the example set by our Lord and the Apostles. But though fasting is a virtue which was practised from primitive times, the fast on certain appointed days has a history. It is the result of the development of Christian discipline.

Nowadays we distinguish the Ember days, the Vigils and the Lenten fasts. Formerly there was also an Advent fast, but we may dispense with its history.

EMBER DAYS

We do not wish to discuss the theories regarding the origin of the Ember days as advanced by Monsignor Duchesne or Dom Morin or Professor Villien and others. Some writers think that the Ember days are of Apostolic origin, though it would be difficult to produce sufficient evidence in proof thereof. The fact is that the sermons of St. Leo are the first documents to mention the Ember days. They are spoken of as fully established days of fast which occur four times a year. The exact date of their occurrence was, however, not definitely settled at that time. In fact, the date of the Ember fast was variously observed throughout the Western Christian world. Finally Pope Gregory VII (1073-1085) legislated on the date of the Ember days and fixed upon the Wednesday, Friday and Saturday after the thirteenth of December, after Ash Wednesday, after Whitsunday, and after the fourteenth of September, as the exact dates for this fast. Pope Gregory's decision was gradually accepted by the various provinces of the Latin Church and has remained substantially unchanged to the present day. Here we may ask: How could a seasonal observance, such as that of the Ember days, rise and come to life without creating serious opposition? Fasting certainly is a thing which militates against the ease and comfort of man. Though Catholic historians do not yet agree on the origin of the Ember Days, we may see a reason why the early Christians relatively easily took to the custom of fasting on Ember days, in the fact that the Church took the custom over from Pagan Rome. At the beginning of the seeding and harvesting seasons for wheat and grapes the Romans used to implore the help and mercy of their deities. The Church, seeing the good purpose underlying these pagan ceremonies, converted them into Christian practices.

VIGILS

Prior in time to the Ember Days are the Vigils. They may be traced to the watches or nocturnal gatherings of the first Christians preceding the Eucharistic sacrifice and the receiving

of the Lord's Body on Sunday. What seems to have been in the first days of Christianity a mere custom, spontaneously and voluntarily observed by every member of the congregation, was soon looked upon—at least as long as there were many Jewish converts—as a serious obligation. Accustomed to the observance of the Sabbath day, the Jewish converts easily set this day aside in preparation for the coming of the Eucharistic Sacrifice and Communion on Sunday. As has already been suggested, as the number of converts from paganism increased, the number of Jewish converts decreased in the Church, and with the decline of Jewish influence in the primitive church respect for Jewish traditions passed away too. The Christians who had entered the Church from paganism saw no reason to adhere to Jewish traditions. Hence the Church insisted only upon the observance of the vigils preceding the major feasts, conceding a less severe practice to the gentile Christians as long as they fulfilled their obligation to attend the Holy Sacrifice on Sundays. Henceforth there was no obligation to attend the night watches or vigils on ordinary Sundays and the feasts of lesser importance. At a later period of history, when the vigils were used as a pretext for drinking and dancing parties, the Church found it desirable to reduce gradually the number of the vigils till finally hardly more than that of Easter remained in certain parts of the Christian world.

The vigils consisted originally in a watch during which the faithful devoted themselves to prayers and readings preparatory to the reception of the Body and Blood of our Lord. It was natural that during these sacred preparatory exercises everyone should abstain from food. The fast was in strict accordance with the spirit of penance which prevailed at these gatherings. But when the obligation to be present at the vigil gatherings gradually ceased and only the Eucharistic mysteries (or Mass) were attended by the faithful, the obligation to fast on the day previous to certain important feasts remained. Instead of going into a detailed documentary analysis of the history of the vigils and the vigil fasts, let it suffice to say that some of the most ancient testimonies on vigils are found in the Apostolic Constitutions and in the writings of Philastrius of Brescia.

The vigil of Easter was the outstanding and universally

observed vigil fast. To this may be added at a very early date, but not universally observed, the vigils of Christmas and Pentecost, and in some parts of Christianity also that of the Ascension. From the ninth century on, vigils of other feasts were added, but each particular church followed its own local customs. Canon 1252 of the new canon law has reduced the obligatory vigil fasts to those of [Easter], Pentecost, Assumption, All Saints' Day, and Christmas.

LENT

The oldest record to mention the Lenten fast is contained in a letter of St. Irenaeus to Pope Victor. It is quoted in the writings of Eusebius. St. Irenaeus there says that there was not only a controversy regarding the exact date of the keeping of Easter, but also one with regard to the length of the fast preceding Easter. There was diversity amongst the various churches as to the length of the Easter fast. Some thought that the fast should last one day, others two days, while again some others observed a fast of forty continuous hours. Some time later we learn from Tertullian that the Christians were accustomed to fast on Good Friday and Holy Saturday. St. Dionyius of Alexandria tells us that some fasted for one whole week before Easter. It was a slow process by which the fast preceding the Easter celebration developed into the Lenten fast. The reason for this may be seen in the fact that the heretical sect of the Montanists, wishing to outdo the Catholics in works of external piety, kept a fast which lasted longer than that of the Catholics. We meet the expression of the forty days' fast—Quarantine—the first time in the proceedings of the fifth canon of the Council of Nice (325). From the contemporary and later literature it may be inferred that, though the forty days of Lenten fast were considered a time of penance, prayers and fasting, an actual fast over the full period of forty days was not observed by the majority of the faithful. It was not till the seventh century that a forty days' fast became the rule at Rome; whence the custom spread gradually over the provinces of the western Church.

Before concluding this study of the history of the fast, it should be recalled that the Ember, Vigil and Lenten fasts in their present form do not date from the very beginning of Christianity. They are the result of later developments of the

Church's practices and discipline, calculated to impress the spirit of penance upon the faithful and to teach them to mortify their appetites and senses. In the earliest days of Christianity there was not in existence any highly developed system of regulations regarding fasting. The mode of life of the first Christians was simple and filled with the spirit of penance and mortification. They fasted readily, strictly, and frequently. The Didache tells us that the faithful fasted on Wednesday and Friday. These days were very probably chosen in opposition to the fast of the Jews on Monday and Thursday. The Wednesday fast was observed in certain sections of the Church as late as the tenth century, but it finally passed altogether into disuse.

THE FRIDAY ABSTINENCE

Friday, more than Wednesday, has always been considered a day of penance. It is the day on which our Lord suffered and died for us. It is the day always held sacred, in remembrance of the Passion of our Lord. The early Christians fasted on Friday. Documents dealing with the discipline of the early Church, such as the Didache, the writings of Innocent I, of St. Ambrose, St. Jerome, St. Augustine and others, refer to Friday merely as the day of fast without mentioning expressly the abstinence. This, however, must be interpreted according to the spirit of the time. The silence which obtains in Christian literature regarding the abstinence on Fridays should not be advanced as proof that the Christians ate meat on Fridays. The economic conditions of the world of previous centuries must not be confused with the conditions and modes of life of modern times. The daily consumption of meat has become a custom only within more recent times. In olden days the killing of animals was always a solemnity, an occasion of fasting and merrymaking. That the killing of animals for food purposes and the feasting connected with it should occur exactly on a day of fasting and penance was unthinkable. Hence, no special law was required to make the day of fast and penance also a day of abstinence. It was such, *ipso facto*. The killing of animals for food purposes took place only a few times during the year, and was an occasion for solemnization. The faithful arranged such a day to help make merry feast-days and celebrations, such as marriages, baptisms, and the like. But the

laws regarding the forbidden times for marriages and the days on which baptisms were to take place provided also that the spirit of penance could not be violated on certain days. The early Church considered Friday as a day of penance and fasting and naturally no one would think of consuming flesh-meat on such a day.

There is another consideration which influenced the Church in not stretching the point of abstaining from meat on certain days. During the period of the Gnostic heresies, the Church had to use precautions lest her laws should be misinterpreted, for the members of those heretical sects refused to consume any meat or products of animals. The Church in combating these errors naturally felt most disinclined to legislate against the use of meat even on one particular day of the week.

All this explains the silence of Christian writers on the subject. Yet it seems to have been a Christian practice from days immemorial to abstain from meat on Fridays. We infer this from a letter of Nicholas I to the Bulgarians, in which this Pope declares that for Christians the abstinence from flesh meat is enjoined on Fridays. However, the subject of the Friday abstinence occurs infrequently in the literature either of the early Church or of the Middle Ages. It becomes an issue only when, due to the laxity of the people, the fast on Friday becomes a dead letter. In other words, with the disappearance of the Friday fast the Friday abstinence begins to be insisted upon. With regard to the subject matter of the Friday abstinence, great differences of opinion existed in the various countries and during the centuries. At times the use of milk, butter, cheese, eggs, cooked vegetables, and all kinds of cooked food, and of wine was prohibited. At other times, no restrictions or only partial ones, were made.

In virtue of the well-known bull *Cruciada,* the faithful in the Spanish kingdom and all the territories which formerly were under the Spanish crown, could, by making an offering, formerly for the Crusades, later, for other pious causes, obtain release from the obligation of abstinence on Friday outside of Lent. The bull *Cruciada* dates back to concessions granted by the Popes to the kings of Spain in their struggles against the Saracens.[12] This privilege, which was formerly enjoyed

[12] The bull *Cruciada* was renewed a short time before the establishment of

by Latin America and the Philippines, has been replaced by three indults dated 1 January, 1910.[13]

The Church, in former days, observed abstinence on Saturdays. In the Eastern Church it was strictly forbidden to fast or abstain on Saturday because this day had a solemn character and was likened to Sunday. In the Western Church, however, the practice was different. Here Saturday was thought of in closer connexion with Friday and was regarded in Rome and in some provinces of the Western Church as a day of abstinence. But this custom was not universally accepted in the West. The Fathers of the Church advised the Christians to follow local customs. The discipline of the Western Church remained uncertain. French Catechisms retained till recently the precept to abstain from flesh meat on Saturdays.

III. Confession.

The third precept obliges every Catholic "to confess at least once a year".

Historically, it is certain that the first Christians received Holy Communion frequently, but this does not permit us to conclude that they had frequent recourse to the Sacrament of Penance. In the early Church it seems to have been left to the conscience of the individual to determine how frequently he should seek absolution in the Sacrament of Penance. On the other hand, early Christianity was severe in the discipline of public penance for grave crimes. Public penitents were required to confess their public crimes on Ash Wednesday and to be absolved publicly on Holy Thursday. Out of the spirit of humility and of their own accord, pious persons joined the ranks of public penitents in this holy exercise, and thus it gradually became the practice of all good Christians to confess their sins on Ash Wednesday ("in capite Quadragesimae"). It must be clearly understood that this custom by no means limited the confession of the early Christians to Ash Wednesday. Those who went to confession more frequently during the year did so more particularly at the beginning of Lent.

From this evolved the custom of pastors (which custom can

the Spanish Republic by Pope Pius XI in the Apostolic Letter *Carissimae* addressed to King Alphonse XIII on the date of 15 August, 1928. *Acta Apostolicae Sedis*, XXI (1929), 12-21.

[13] Eccl. Rev. XLII (1910), 727-732.

historically be traced as far back as the seventh century) to invite the parishioners to go to confession particularly on Ash Wednesday and to impose on them a penance in accordance with the Penitential books.

For a long period in history there are no records to tell us how frequently the faithful went to confession. It is only in the middle of the eighth century that historical annals begin to throw light on the fact that the laity was under obligation to go to confession at least three times a year, Christmas, Easter and Pentecost, and the monks on every feast, or, as other records read, on every Saturday. But in the course of the centuries great laxity eased considerably this standard rule and at the time previous to the meeting of the Fourth Lateran Council it was feared and many layfolk and clerics confessed hardly even once a year.

At the beginning of the thirteenth century a reaction against this decline set in. In 1215, when the Fourth Lateran Council met, the ecclesiastical discipline with regard to confession was enacted in its famous twenty-first canon, *Omnis utriusque sexus,* which contains the following points: (1) All the faithful who have arrived at the age of discretion must make a private confession of their sins at least once a year. (2) They must make it, each to his own pastor, unless permission has been obtained from him to go to another priest. (3) Disobedience is punishable with a double penalty—exclusion from the church (*interdictum ab ingressu ecclesiae*) and denial of Christian burial after death.

The Fourth Lateran Council had laid down a minimum rule to be observed by all without exception. The decree of this General Council, however, did not abrogate more exacting diocesan regulations, and even after the conclusion of this Lateran Council we occasionally find diocesan synods insisting upon confession at least thrice a year.

The General Council speaks of the "age of discretion". Some of the provincial councils and diocesan synods held after the Lateran Council considered fourteen years of age for boys and twelve for girls as the time when the obligation to go to confession becomes binding. Many theologians at that time took the twenty-first canon as a whole and argued as follows: The penalty imposed upon those who transgress the law—ex-

clusion from the church and denial of Christian burial—and the precept, to go to confession, form one law. Children, they said, are not subject to the penalties of a positive law. Neither are they subject to the penalties of the Lateran Council. Now, as the penalty and the precept constitute one law, it follows that boys under fourteen years of age (twelve years for girls) are not obliged to fulfil the precept of the Lateran Council. On the other hand, the opinion that each part of the Lateran legislation was binding separately was represented by a goodly number of theologians. They considered that a child reaches the age of discretion when it is able to distinguish between good and evil; that is, at about seven years of age. Consequently they regarded a child of seven subject to the Lateran precept. In the course of the centuries this latter opinion grew in favor and was finally unanimously accepted.

Another provision made by the Lateran Council was that confession must be made to one's own pastor, unless permission has been obtained from him to go to another priest. The confessor was accordingly: for the faithful, the bishop or the pastor of one's own parish, and for the priests, the bishop; and for the monks, their superior or the bishop. Pastors, as a rule, were rather unwilling to abandon their jurisdiction in favor of some other priest unless they were obliged to do so by reason of sickness or the great number of penitents. This was in full harmony with the medieval idea of parish prerogatives and was strictly adhered to till the mendicant orders obtained privileges which gradually modified the former practice. The mendicant orders received their jurisdiction directly from the Holy See and in virtue of this delegated power they claimed jurisdiction over the faithful who came to them. The struggle between the seculars and regulars lasted—as in the case of the assistance at the parish Mass—for centuries. The Council of Trent put a stop to it simply by requiring all confessors, secular and religious, to obtain first the permission of the bishop before hearing confessions in his diocese. The new Code of Canon Law has abrogated this particular provision of the Lateran Council, while incorporating (canon 874) the Tridentine ruling.

With reference to the penalties imposed by the Lateran Council for those who neglect annual confession, it may briefly

be said that all subsequent councils and synods endorsed the Lateran regulation. The recent Code of Canon Law, however, makes no special mention of those guilty of neglect. It simply refuses Christian burial to "other public and manifest sinners" if they have not given signs of repentance. In his *Commentary* the Rev. P. Charles Augustine, O.S.B., remarks on this as follows: Christian burial is to be refused to "those who have habitually violated the precepts of annual confession and communion. As to the last-named class of persons, the Roman Ritual says that their fault must be manifest; which means that they must have omitted their Easter duty for several years and be known to the faithful as having been guilty of serious neglect." [14]

IV. Communion.

In many respects the third and fourth precepts are closely related.

We have good reasons to believe that in the infant Church, all Christians present at the Eucharistic gatherings received Holy Communion. As the Christians assembled for "the breaking of the bread" after they had assisted at the service in the synagogue on the Sabbath day, it would seem probable that they received every Sunday the Body and Blood of our Lord. This may be inferred from various texts of the New Testament. The Didache and the writings of the early Fathers of the Church point in the same direction. Tertullian mentions that the Christians took home with them small particles of the Eucharist that they might receive Holy Communion during the rest of the week. This practice is described, too, by St. Basil. That the Church permitted such a practice, at least temporarily, is easily understood when we remember that the early Christians were in daily danger of their lives and that the Holy Eucharist was to them the greatest source of strength and consolation. St. Augustine advises daily Communion. In some parts of Christianity, or in some particular churches, as, for instance, at Rome, daily Communion seems to have been the rule. Other parts of Christendom and other churches followed different customs. There was no general rule. Each church followed its own tradition and much seems

[14] Vol. VI, p. 157.

to have been left to the good will of the faithful. But even at this early stage of history there seems to have been no lack of lukewarm Christians who let weeks and months pass without approaching the table of the Lord. To them St. John Chrysostom addresses his exhortation, telling them of their obligation to receive Holy Communion in Lent (or at Easter) and at Epiphany. Somewhat later, a synod held by St. Patrick speaks of the Easter Communion as absolutely necessary. In the sixth century it became the rule in some churches to consider Holy Communion a serious obligation on the three principal feasts of Christmas, Easter and Pentecost. Other churches gradually adopted this rule. Provincial councils legislated to this effect and finally the practice was made into the Decree of Gratian and became a universally accepted law.

It was, however, a minimum law. In some parts of the Christian world the ruling of provincial councils was still enforced and people considered it their duty to go to Holy Communion more frequently; sometimes every Sunday, sometimes every Sunday during Lent, the last three days of Holy Week, Easter Sunday, and the rest of the Easter week. But whatever the territorial customs or local laws may have been, Communion on the three principal feasts of Christmas, Easter and Pentecost was regarded as of obligation and of these three the Easter Communion was more emphatically insisted upon by the preachers and writers of the time and considered as the most important one of the three. In certain dioceses the Easter Communion was received twice—on Holy Thursday and on Easter Sunday. In spite of the ruling of provincial councils and local customs, lukewarm Christians frequently disregarded their obligation to receive Holy Communion three times a year and were satisfied to have gone but once a year on Easter Sunday.

When in 1215 the Fourth Lateran Council met, it accepted the Easter Communion as the absolute minimum, below which no Christian may fall, under pain of excommunication. The famous twenty-first canon, *Omnis utriusque sexus,* known to us already from the study of the history of the third precept, imposed the following obligation with regard to Holy Communion. First: every Christian of either sex who has attained the age of discretion must receive the Eucharistic Communion

at Easter. Second: he or she can be exempted by the pastor only by way of exception and for reasonable motives. Third: persistent disobedience is punishable by a double penalty — exclusion from church during life and privation of Christian burial after death.

As in the case of annual confession, the Lateran decree requiring every Christian to go to Communion on Easter was a minimum law. Diocesan laws aiming at more frequent receiving of Holy Communion were not abrogated. The Lateran decree had only fixed the line of demarcation. Refusal to obey the minimum requirement again entailed an interdict *ab ingressu ecclesiae.*

Where is the Easter Communion to be received? The Lateran Council does not directly specify the parish church as the place in which to fulfil the Easter duty, but simply implies this when it empowers the pastor to grant a dispensation in individual cases. Furthermore, as the head of the parish the pastor was the one to refuse Christian burial to neglectful members of his parish. Provincial councils and diocesan synods held after the Lateran Council gave the interpretation and considered the pastor as the only one who had the right to distribute Easter Communion and from whom the parishioners should receive it. An interesting decree of a council of Avignon goes even to the length of forbidding pastors under pain of excommunication, incurred *ipso facto,* to allow their parishioners within a fortnight of Easter to receive Holy Communion outside of their parish church.

As in the case of annual confession, so also in that of Easter Communion does the Lateran Council speak of the age of discretion as the time when the law becomes obligatory. When speaking of annual confession, we saw that theologians differed about the interpretation of this expression. Some argued in favor of six or seven years of age, while others were inclined to allow an age of twelve to fourteen years before the law would become binding. In the course of time the former opinion was accepted. From this one would judge that in the case of Holy Communion the same method was employed. But this was not so. The great majority of theologians did not consider a boy under fourteen years of age and a girl under twelve years as bound to receive Holy Communion

annually. St. Thomas Aquinas and St. Antoninus held the same opinion. The former says: "To boys, beginning to have the use of reason, may, even before the age of maturity, namely about ten to eleven years of age, be given [the Holy Eucharist] if they give signs of discretion and piety." [15] This was doubtless owing to the great dignity of the Holy Eucharist. It was believed that more knowledge is required for getting an idea of so august a sacrament as that of the Holy Eucharist than for simply distinguishing between good and evil. The practice was continued till our own time and was only changed by the decree of Pope Pius X, who wished to see children approaching the table of the Lord at a much earlier age.

The penalty for refusing to obey this fourth precept remained the same as in the case of the third precept: exclusion from the church and refusal of Christian burial. By the decrees of several provincial councils pastors were required to keep a list of those who fulfilled their Easter duty or of those who lived in their parish and ignored the Easter precept.

If a person had neglected to go to Holy Communion one Easter, was he thereby free from the obligation till the next Easter or should he repair his fault by going immediately to the sacraments? This question was debated by medieval theologians. Some held that in such a case one could wait till the next Easter. Their argument was as follows: If one misses Mass on Sundays or does not keep a day of fast or abstinence, he is under no obligation to assist at Mass the following Monday, nor is he bound to fast or abstain the day following. Consequently, when one has neglected his Easter duty one year, he is not obliged to go to the sacrament till the next Easter feast. Though this thesis was defended by prominent theologians, the opposite opinion prevailed. In order to make the Easter obligation more convenient to the people, it was first permitted to fulfil the Easter duty several days before Easter Sunday, notably on Holy Thursday and several days after Easter. Gradually the period was extended in many countries to several weeks before Easter, mostly all of Lent, and several weeks after the Easter celebration, first up to Pentecost day and later on up to Trinity Sunday.

In the case of the annual confession, the new Code of Canon

[15] St. Thomas IV Sent., D. IX, Art. 5, p. IV, Sol. IV.

Law retains only the first section (the precept) of the law of the Fourth Lateran Council. It does not incorporate the second and third sections (the right of the pastor and the penalty). The new Code does not follow this same procedure in the case of the annual Communion. It urges (*suadendum*), but does not oblige the observance of the second section of the Lateran legislation (canon 859 § 3). For explanation we refer to the third precept. Points which the Lateran legislation had left open for discussion or which, in the course of time, might lead to modifications, were definitely settled by the new Code. For the benefit of comparison, we may be permitted to quote canon 859. "Each and every Catholic of either sex must, after having attained the years of discretion, receive Holy Communion once a year at least during the Easter season, unless at the direction of his priest he believes it proper to abstain for some time.—Easter Communion is to be received between Palm Sunday and Low Sunday; the local Ordinaries have the right to extend this period for all the faithful of the diocese, if they think this necessary on account of the condition of people and place, from the fourth Sunday in Lent to Trinity Sunday, but no further.—The faithful are to be advised to satisfy their Easter duty in their own parish church, and those who received in another church should take care to inform their pastor of the fulfilment of their Easter duty.—If for any reason one has not made his Easter duty within the prescribed time he is still bound by that precept." [16]

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[TO BE CONTINUED]

THE PRIEST AND THE MOTION-PICTURE PROBLEM.

IN a recent article in THE ECCLESIASTICAL REVIEW,[1] the present writer argued that the motion-picture problem is essentially a problem of education and that it is the duty of the pastor to educate his people as to their responsibilities in this regard through the pulpit and the parish school. An in-

[16] See ECCLESIASTICAL REVIEW, Nov., 1932, p. 515, where this obligation is discussed.

[1] "Children and the Cinema: The Pastor's Problem", ECCL. REV., 90:254-265, March, 1934.

telligent and aggressive Catholic public opinion should make itself felt at the box office and have a wholesome effect on the industry.

Before this happy result can come about, however, certain trade practices must be abandoned which, in their present form, render the motion-picture industry independent, in a certain sense, of public opinion. The abuses in question are three: *blind looking, block selling,* and the denial of *the right to buy.* Until these evils are remedied, the program suggested in the preceding paragraph can hardly be effective. It is important therefore that the Catholic pastor should understand the meaning and implications of the above trade practices and the measures which have been suggested for controlling them. These topics will be covered in the present article.

The succeeding discussion will be clearer if certain trade terms are defined at once. The types of business organizations which make up the motion-picture industry may be roughly classified under three heads: the producers, the distributors, and the exhibitors. A *producer* is a person or firm engaged in the actual process of making motion-picture films. A *distributor* is one who sells or leases these films to exhibitors. Finally, an *exhibitor* is one who owns or operates a motion-picture theater or other place in which the cinema forms all or part of a program of entertainment. The motion-picture industry has been characterized by a series of vertical combinations by which the principal distributors were combined with producers, while the resulting producer-distributors gradually began to absorb the exhibitors. Speaking broadly, it may be said that the former process reached its height before 1925, while the latter process reached its fullest development in the period between 1925 and the crash of 1929. This process of vertical combination has been accompanied by an equally marked process of horizontal combination, so that to-day the entire industry is in the grip of a small group of producer-distributors who control enormous resources.

With this background in mind, one can appreciate the implications of the trade practices to which this article is devoted. We proceed to define them. By *block booking* is meant the practice by which the distributor leases to the exhibitor a number of films at once, the exhibitor being required to lease all

of them or nearly all of them if he wishes any of them. Many distributors would quarrel with this definition, claiming that, while they often or usually lease their films to exhibitors in blocks, they are willing to make exceptions to this practice and lease individual films, though at a much higher rate. This difference of view was brought out clearly in the course of the action of the Federal Trade Commission against the Famous Players-Lasky Corporation. The truth seems to be that the rigidity of the block-booking system depends on circumstances. Exhibitors who control all the theaters in a city and exhibitors who own very large and well-known theaters may be able to dictate their own terms to the distributors; but when it is to his advantage the distributor does not hesitate to lease his pictures on the all-or-none principle.

Blind selling is the practice by which an exhibitor is made to contract for a picture before he has seen it or knows its contents. Quite generally films are leased before they are produced or even planned. Block booking and blind selling could exist as separate practices, but actually they are combined into the present custom of contracting for, say, sixty Paramount pictures or fifty First Nationals, to be delivered during the year as they are released by the producer.

The *right to buy* simply means the right to bid for films in the open market. Since the producer-distributors have entered the field of the exhibitors they have naturally tended to favor their own theaters. Since no producer releases enough films each year to supply what is needed for the average theater, master contracts have been drawn up between producers owning theaters by which they mutually agree to grant each other the first run of their product. It thus sometimes happens that independent exhibitors, who are willing and able to pay a higher rental for a given film than the producer-owned theaters can pay, are nevertheless forced to content themselves with a subsequent run, after the theaters owned by the producers have enjoyed the first run. Another effect of the denial of the right to buy is that pastors of churches desiring to exhibit motion pictures in the parish hall may find themselves unable to lease films in their early runs, even though they are willing to pay the regular rental or even a rental higher than the usual one.

The implications of these trade practices are not difficult to

understand. To make them concrete, let us imagine the case of Father A, a pastor in a respectable, middle-class neighborhood. His people are intelligent, religious, interested in their children's welfare. Father A becomes concerned about the motion-picture problem. He urges from the altar the necessity of patronizing only those films that are wholesome. He instructs the school children along the same lines. After a time he is conscious that his campaign is not producing results. He talks the matter over with some of his better-informed parishioners. They tell him that there is only one local theater near enough to be readily accessible and that while many wholesome films are shown, many others are distinctly unwholesome. Where then can the people find the sort of films they want?

Thoroughly aroused now, Father A goes to see Mr. B, the owner of the local theater, in person. Somewhat to his surprise, Father A finds that Mr. B shares his views on the desirability of wholesome films, not, it must be added, from religious motives but from motives of good business. Mr. B knows his audience and their tastes better perhaps than Father A. Mr. B knows that he gets better attendance when he has features on his program which are not morally offensive. He knows that his patrons are definitely offended and that he loses patronage when unwholesome films are exhibited. But he goes on to explain that there is little he can do to remedy the situation. Blind selling and block booking compel him to contract for features before he knows their character. Under the recent Motion-Picture Code he has the privilege of rejecting one film in ten, but this privilege is of only slight help. It can, in fact, be completely nullified if the distributor deliberately includes ten per cent of obviously poor films in each block which he offers for sale.

Discouraged, perhaps Father A decides to open a competing theater in his own parish hall. Let us suppose that his parish is rich enough to afford the expensive equipment necessary for talking pictures. Father A launches his experiment with the radical resolution that he will exhibit only wholesome films even though he must bargain for these films one by one. He has already heard from Mr. B that this system is not feasible, but Father A is willing to take a chance. He is not primarily

interested in profit and he has the advantage over Mr. B that people are interested in the success of the parish venture. But now the seriousness of the denial of the right to buy becomes apparent. Father A finds that it is indeed possible to lease individual films if one insists, but only such individual films as would not compete in popularity with those shown by Mr. B or other exhibitors in the same city. The manager of the film exchange, who acts as agent for the distributor, rightly judges that Mr. B's theater will have more patrons in the long run than Father A's parish hall. He therefore takes care to give Mr. B what is technically known as *protection*. He does this irrespective of the price which Father A is willing to pay. As a result Father A is limited to pictures which most of his movie-minded parishioners have already seen and the venture languishes.

The ultimate effect of the trade practices herein discussed is to prevent specialization of films to meet different tastes. In the world of books one may find books for Catholics and books for Protestants, books for children and books for adults, books for the barely literate and books for the highly educated. But in the world of films these clear-cut distinctions do not exist. The people who are concerned with the production of each individual film know that that film, together with perhaps dozens of others, will be sold in a block to exhibitors of many different sorts. Some of these exhibitors are owners of neighborhood theaters in good communities and they want only wholesome films. Other exhibitors own theaters in the white-light district of large cities and they find that ultra-sophisticated films pay. Some exhibitors cater to a predominantly rural audience, while other audiences are exclusively urban. Some exhibitors want films suitable for children; others have few children in their audiences. The result is that the usual film represents a compromise, an attempt to please all these varied audiences at once. Under these circumstances it is small wonder that the average film is so mediocre. The wonder is that works of real genius like *All Quiet on the Western Front* or *Mädchen in Uniform* are occasionally produced.

It is sometimes said that the motion-picture industry fails to respond to public taste in films. In a sense this is not true. The difference between a successful feature and an unsuccessful

one represents perhaps hundreds of thousands of dollars to a producer. No business man wants to spend three or four hundred thousand dollars—the cost of the average feature picture —until he has used every available means to assure himself that it will meet the taste of the public. To this purpose the executives of the large producing companies anxiously scan the current news, current books, and periodicals, for indications of the public taste. The opinions of theater managers are eagerly sought. Weight is given to the opinion of critics. Letters from the public ("fan mail") are systematically read. All these sources of information and many others are thoroughly weighed and discussed.

Yet in a sense the producers are insensitive to the wishes of the public. For in attempting to please everybody they inevitably run the risk of pleasing nobody. Their product is not made to suit the taste of any particular audience but to suit the taste of a theoretical average audience which does not exist.

It is plain that block booking is undesirable from the point of view of the public, since it prevents the production of films to suit the individual taste. It is as though all the magazines in the country were to be combined into half a dozen periodicals with immense circulation, each of which magazines should try to cater all at once to the tastes of former readers of the *Atlantic Monthly, Ballyhoo,* the *Nation,* and *Vogue!* Block booking is undesirable from the standpoint of the average exhibitor because it makes it difficult for him to please his particular audience. The Allied States Association of Motion Picture Exhibitors—the great national organization of indepedent exhibitors—is bitterly opposed to the practice. One might even expect that the producer-distributors would voluntarily abandon the practice; for their prosperity depends on the continued popularity of motion pictures and modern pictures lose in popularity when the individual audience becomes dissatisfied.

The reasons why producer-distributors cling so tenaciously to block booking (and the concomitant blind selling) are complicated. There is first of all an historical reason. When the industry was first stabilized, the common method of leasing films was on the foot basis. The exhibitor leased films at a flat rate per foot, regardless of the character of the film. This

was a satisfactory arrangement in those early days, for the films were short, individual stars did not enjoy their present enormous popularity, and quantity was more important than quality. Exhibitors therefore contracted with some distributing company for enough film to meet their needs and were satisfied.

All this was changed with the development of the feature picture. A considerable amount of publicity went along with each feature and exhibitors were no longer satisfied to lease film on a footage basis. The emphasis shifted to quality.

About 1917, then, a new system became popular. This was the *star system.* For example, an exhibitor would contract for five Harts or five Pickfords. Thus the exhibitor was given a greater freedom of choice, but the spirit of the old system persisted in that he did not buy individual pictures, but groups of them. The objection to the star system was that it gave too much importance to the individual actor. This led, in the producers' opinion, to unreasonable demands for high salaries. Between 1919 and 1921, therefore, the star system was gradually abandoned for the present system of block booking. This arrangement proved much more satisfactory to the producer-distributors.

The historical origin of block booking is therefore to be found in the fact that films were originally leased on a quantity basis and this practice persisted in modified form even after the development of feature pictures had shifted the emphasis to the individual film. Other, more recent factors have combined to preserve the practice. About 1925 the great producer-distributors began to buy up exhibitors as well. This movement did not start abruptly. As early as January, 1920, First National controlled, in some way or other, 639 theaters. But after 1925 the process was enormously accelerated, until a very considerable proportion of the first-run theaters of the country were under control of a few large companies. As a result the producer-distributors were in a position to dictate terms to the independent exhibitors. Block booking therefore remained popular.

From the standpoint of the producer-distributor this system had many advantages. Contracts signed at the beginning of the season assured him a definite income for the year. This

income would not fall below a certain minimum, no matter how poor the product might be. The artistic uncertainties of the cinema have made it inevitable that a few of each producer's films would be definite failures; but under block booking he was assured a market even for these. This position was one which any book publisher might envy.

It was inevitable that a system so monopolistic in nature should call forth vigorous protests. The classical discussion of the merits and demerits of the system took place in connexion with the action of the Federal Trade Commission against the Famous Players-Lasky Corporation. The distributors endeavored to justify their position on several grounds. It was contended that block booking was simply a form of wholesaling and therefore justifiable by the ordinary standards of business practice. It has stood the test of time. Moreover—so the distributors argued—it would benefit the exhibitor by simplifying his buying problem. If salesmen had to be sent to each exhibitor to sell each individual film the cost would be high and the exhibitors, who would have to bear this increased cost, would suffer.

The exhibitors who testified did not seem to appreciate this solicitude for their welfare. They argued that block booking limited their choice of films, encouraged overbuying, and forced them to use undesirable pictures. It tended to eliminate competition and stimulated overproduction.

As a result of its findings the Federal Trade Commission issued an order to the Famous Players-Lasky Corporation to cease and desist from certain practices including "leasing or offering to lease for exhibition in a theater or theaters motion picture films in a block or group of two or more films at a designated lump-sum price for the entire block or group only and requiring the exhibitor to lease all such films or be permitted to lease none." The order was not enforced, however, and in December, 1932, the Commission announced that no further effort would be made to enforce it. In the meantime a federal circuit court has held that block booking is non-monopolistic. It seems clear, therefore, that existing federal agencies and existing federal laws are inadequate to stop the practice.

A vigorous attempt was made to eliminate block booking,

blind selling, and denial of the right to buy when the motion-picture code was under discussion last fall. The Motion Picture Research Council (which sponsored the scientific studies reviewed in the March ECCLESIASTICAL REVIEW) and the Allied States Association of Motion Picture Exhibitors were particularly active in their effort to force certain concessions from the producers and distributors. They met with very little success in this effort. The code was approved by the President on 27 November, 1933, and went into effect after ten days, that is to say, on 7 December, 1933.

It is true that some modification of current practice in block booking was effected. In Article V, Chapter F, Part 6 of the Code it is provided than an exhibitor may cancel without payment one picture in each group of ten in the block. This concession loses some of its force, however, on account of the numerous conditions attached; for it is provided that this privilege applies only under the following conditions: (1) The exhibitor has contracted to exhibit all of the pictures offered at one time by the distributor. (2) The license fees for the block do not average over two hundred and fifty dollars. (3) The exhibitor is not in default under his contract. (4) The exhibitor shall have complied with all the conditions of the contract, if any, requiring the showing of pictures at stated intervals. Finally, it should be noted that distributors can defeat the purpose of the clause by adding to their blocks one obviously impossible picture in each ten.

The code gives no relief from blind selling. It not only does not guarantee the right to buy, but expressly upholds the denial of that right in Article V, Chapter D, Part 4, where it is stated that "it shall be an unfair practice for any Distributor to license the exhibition of its motion pictures for exhibition by any non-theatrical account . . . where such exhibition shall be determined . . . to be unfair to an established motion-picture theater."

So unsatisfactory was the code that Dr. A. Lawrence Lowell, President Emeritus of Harvard University, refused appointment on the Code Authority, replying as follows:

> The five large producing companies have, by their business methods, obtained a controlling grip upon the business and are able to put forth upon the community any films that they please. This mono-

polistic practice, based on block booking and blind buying many of us have asked to have checked by the Motion Picture Code; but, instead of that, it has been given a certain legal sanction; and hence the position on the Code Authority, which I feel constrained to decline, is virtually that of a powerless onlooker at conduct which he can neither change nor improve. Moreover, it is expressly provided that he has a voice but no vote.

It was perhaps too much to expect that the motion-picture producers would voluntarily reform themselves through a code. The producers are too strongly entrenched to yield so easily; and President Roosevelt has been reluctant to use his extraordinary powers of coercion.

The sole remaining method of removing the undesirable trade practices discussed in this article seems to be federal legislation. It seems clear that the states do not have power to act; for in the case of *Paramount* v. *Charles L. Hill, Commissioner of Markets, et al.* it was held on 20 December, 1932, that the Department of Agriculture and Markets of the State of Wisconsin trespassed on federal authority in attempting to prevent, in accordance with a Wisconsin statute, alleged unfair and unlawful distribution of motion pictures in that state.

Several bills have been introduced in Congress to control the practices of motion-picture distributors. None of these has come near passage. In the present session Representative Wright Patman of Texas has introduced a bill known as H. R. 8686 which is aimed at the three abuses discussed in the present article. Section 1 of the Patman Bill makes it unlawful for a producer or distributor "having and offering for lease or license blocks or groups of films containing two or more photoplays or subjects, to insist that a licensee or lessee shall take all or a designated number of such photoplays or subjects out of a total number offered in order to obtain the ones which the lessee or licensee desires or to refuse to lease or license such lesser number of photoplays or subjects out of the total number offered as the lessee or licensee desires." Section 2 applies to films of four thousand feet or more in length and provides that it shall be unlawful to lease or license such films until the producer or distributor has furnished or made available to the exhibitor "a full and complete synopsis or outline of the story, incidents, and scenes" depicted in the film. Section 3 would

extend the benefits of the anti-discrimination provisions of the Clayton Act to the leasing of motion-picture films. Section 4 makes the Federal Trade Commission responsible for the administration of the act. It will be seen that Section 1 of the Patman Bill outlaws block booking. Section 2 prohibits blind selling and Section 3 guarantees the right to buy.

A hearing was held 19 March, 1934, on the above bill and also on H. R. 6097, another Patman Bill which would introduce federal censorship. The hearing on both bills consumed a total of only about two hours time, most of which was taken up with the censorship bill. At the time of the present writing it seems unlikely that either measure will be passed in the present session of Congress.

All attempts to abolish block booking and related trade practices have thus far failed. These failures include the cases of the Federal Trade Commission, the attempt to introduce anti-block-booking features into the motion-picture code, and the case of the various bills that have been introduced into Congress. It is certain that the producers, through their highly efficient association, the Motion Picture Producers and Distributors of America, will strenuously resist all attempts at regulation. Yet there is reason to hope that the tide will turn in the not too distant future. Legislation to abolish block booking and blind selling has been passed in Great Britain and for more than five years it has worked very satisfactorily. There is only one reason why such legislation has not already been adopted in the United States and that reason is the selfishness of the great producers. Experience has shown that the American people will not tolerate such selfish monopolies beyond a certain point.

At the beginning of this article the writer urged the necessity of controlling block booking, blind selling, and the denial of the right to buy, because these practices made it impossible for the public to obtain the sort of photoplays they want. This was a sound reason, but there are other equally sound reasons of an economic nature. These practices are not monopolistic in the sense of the Clayton Act as it reads at present, but they escape that classification purely through a legal technicality. In any common-sense definition of the term these practices are monopolistic; for they enable a few enormous combinations to preëmpt the market and practically to dictate their own terms

to independent producers, independent distributors and independent exhibitors. Such practices violate current American concepts of a business ethics and, as such, they deserve to be eliminated.

Passage of the Patman Bill, or some similar measure, would not immediately banish all unwholesome films, but it would give free scope to the law of supply and demand which, in turn, would tend to restrict such features. It would indeed permit morbid persons to patronize morbid films, but it would prevent such films being foisted on decent people who have no desire to see them. This would be a great victory.

In a recent article in THE ECCLESIASTICAL REVIEW Bishop Cantwell spoke of the remarkable fact that a very few men in Hollywood are able to force their product on a nation which seems to be unable to do anything about it. The secret of this peculiar situation is contained in the three trade practices of block booking, blind selling, and denial of the right to buy. Remove these things and the monopoly is broken! Only when this is accomplished will the Catholic pastor be able to educate his people to demand *effectively* the better, more wholesome, more artistic, and more truly entertaining films which they have a right to see.

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EPISCOPUS PROPRIUS ORDINATIONIS RELIGIOSORUM.*

IF THE RULES for determining the bishop that is authorize to ordain secular clerics present difficulties, the rules regarding the ordination of religious do so in a higher degree, because of the differences not only between religious institutes, but also between various religious. It will be necessary therefore to treat each class separately.

I. FOR EXEMPT RELIGIOUS.

Canons 964 n. 1, 2 and 3 and 965-967 specify who can grant exempt religious dismissorial letters and who may ordain them.

* See article on "Episcopus Proprius Ordinationis", in April issue, pp. 352-365.

Number 1 of canon 964 renews the privilege of the abbot to confer Tonsure and Minor Orders upon his subjects. An *abbas regularis de regimine* is the monk who with the title of abbot actually and in his own name governs an abbey which is entirely independent of every other house of the order. This excludes the Abbot Primate of the Benedictines and the Abbot President of the various monastic congregations as far as the whole order or the entire monastic congregation is concerned; the merely titular abbot; the abbot visitor,[1] the abbot coadjutor, unless his appointment by the Holy See includes this power, as also all others who enjoy the title and honor of abbots but who are not in their own name at the head of an abbey.[2] At the head of an independent priory is not an abbot, but a prior and he does not enjoy this privilege.

The abbot is *ipso iure* endowed with delegated power to confer Tonsure and Minor Orders only. These he can confer only upon his own subjects, namely, those who have made at least temporary profession and who in virtue of this profession are members of the abbey: he cannot empower another not a bishop to confer these orders upon his subjects; neither can he grant dismissorial letters that his subjects be promoted by another abbot not a bishop (whether in his own abbey or in the latter's); nor can be ordain any, even monks of his own order, who are not members of his abbey, even if they are in residence for a longer or shorter term in his abbey, without being incorporated into it in conformity with canon 632.[3] The ordaining abbot must himself be a priest and must have received the abbatial benediction.[4] If any, even only one of the above details is wanting, the Tonsure and Minor Orders conferred by one who is not a bishop are invalid. There is

[1] In 1926 the Congregation of Religious refused to recognize the extension of this privilege to the abbot general or visitor. M. Gómez, "De Abbatum potestate Tonsuram Minoresque Ordines conferendi", *Commentarium pro Religiosis*, X (1929), 49, note (20). Can an abbot who is merely administrator of a vacant abbey confer Tonsure and Minor Orders upon the members of the abbey he administers? It seems not; for he has not received the abbey *in titulum* and is not the *abbas de regimine* of the abbey.

[2] R. Molitor, *Religiosi Iuris Capita Selecta*, (Ratisbon: Fr. Pustet, 1909), 389-398; M. Gómez, "De Abbatum potestate Tonsuram Minoresque Ordines conferendi", *Commentarium pro Religiosis*, IX (1928), 434-446; X. (1929), 45-52. The latter is valuable especially for the history of this privilege.

[3] Gómez, *op. cit.*, X (1929), 49, note (20).

[4] Cf. *Pontificale Romanum*, pars I, *de benedictione abbatis*.

one point not mentioned in this canon; can the abbot confer these orders upon his subjects only in a church or chapel under his immediate jurisdiction or also in one outside his jurisdiction? In view of canons 625 and 325 as compared with canon 957 § 2 one might be tempted to conclude that he cannot do so. Yet it rather seems that he can validly ordain his own subjects outside his own jurisdiction. For canon 964 n. 1 does not restrict his delegated power to ordain in this respect and in conformity with canon 11 it would follow that he can validly do so; and, given the proper permission of the abbot in whose abbey he would exercise this power, he could lawfully do so.

Number 2 of canon 964 directs, not who can ordain, but who can grant dismissorial letters to exempt religious, viz., the major superior.[5] By *exempt religious* are meant in the first place regulars, i. e., members of religious orders properly so-called in which by reason of their constitution solemn profession is made.[6] Besides the orders which are exempt by common law there are certain other congregations with only simple vows that have obtained a papal privilege of exemption.[7] In virtue of this privilege they too enjoy the right under discussion. Finally, for the present purpose, with these may be included those non-exempt congregations with simple vows and those societies of men living in common without vows which have obtained an indult to grant dismissorial letters to their members; for as a rule such indults grant the same rights and contain the same restrictions as are laid down in canons 964-967.[8] Still, the import of each indult must be studied with

[5] The religious superior is as a rule not a bishop. If in an exceptional case he has received episcopal consecration, any of the superiors comprehended in n. 2 of canon 964 and enumerated below can also ordain his subjects (canon 959). He will, however, need the permission of the local Ordinary for the exercise of *pontificalia*. Cf. canon 337 § 1; Gasparri, *De Sacra Ordinatione*, (Paris: Delhomme et Briguet, 1894), n. 918; S. Goyeneche, "Consultationes", 19a, *Commentarium pro Religiosis*, V (1924), 164-165. A different opinion is maintained in *Periodica*, XII, (163)-(164).

[6] Cf. canons 488 n. 2 and 7, and 615.

[7] For example, the Congregation of the Passion and the Congregation of the Most Holy Redeemer. A congregation laying claim to exemption may be called upon to prove that it has acquired a papal privilege of exemption. The fact, for instance, that its exemption is acknowledged in the constitutions approved by the Holy See will be sufficient proof.

[8] Cf. Vermeersch-Creusen, *Epitome Iuris Canonici*, I (2. ed., Malines: H. Dessain, 1930), n. 777; for an example of an indult to issue dimissorial letters, cf. A. Vermeersch, *De Religiosis Institutis et Personis*, (Bruges: Beyaert, 1902), II, 643. The bishop can demand that the original indult or an authentic copy be produced.

closest attention by both bishop and religious superior. In the following therefore, by exempt religious let us understand those belonging (a) to an order, (b) to an exempt congregation or (c) to a congregation or society enjoying an indult.

According to canon 964 n. 2 exempt religious receive their call to orders, not from the local Ordinary, but from their major superior, i. e., the abbot of an independent abbey,[9] the general superior for the whole institute and the provincial superior for his province, their vicars and all who enjoy the same power as provincials,[10] who grant them dimissorial letters, for Tonsure and Minor Orders as well as for Major Orders. Without these letters from his major superior no exempt religious may be lawfully ordained by any bishop.

Besides seeing to it that the other requirements for lawful promotion to orders are fulfilled, the ordinand's fitness for orders and freedom from irregularity or other impediment (can. 968 § 1), his age (canon 975), etc.,[11] a further restriction is added in canon 964 n. 3: as long as the ordinand is in temporary profession, he may be given dismissorial letters only for Tonsure and Minor Orders. Canon 574 requires that three years of temporary vows precede perpetual profession both in institutes with solemn vows as well as in those that have only simple vows. If the constitutions prescribe a longer term of temporary vows, or if a religious remains in temporary profession for a longer time, as provided for in canon 574 § 2, these too may not be given dismissorial letters for Major Orders.[12]

Besides other reasons for this restriction, perhaps the most important is this: the religious may leave his institute without taking perpetual profession, either because he obtains a legitimate dispensation from his vows (canon 638-641), or because at the expiration of them he does not want to take perpetual

[9] Not, however, for present purposes the abbot primate or the abbot president of a monastic congregation, unless the constitutions or an indult expressly extend this power to them. Cf. canon 501 § 3.

[10] Canon 488 n. 8. The constitutions will usually limit the powers of vicars in this regard. But this restriction refers properly to the internal government of the institute.

[11] Cf. also S. C. de Rel., instructio . . . *de formatione clericali et religiosa*, etc., 1 December, 1931—*Acta Ap. Sedis*, XXIV (1932), 74-81; ECCLESIASTICAL REVIEW, LXXXVI (1932), 610-620.

[12] Cf. S. C. de Rel. instruction, 1 December 1931, n. 15—*loc. cit.*

vows or is refused admission to them (canon 637). In virtue of canon 585 he has not lost the diocese he had in the world. If he desires to continue in the clerical state, he must return to that diocese and the local Ordinary is obliged to receive him. It is true, this is not explicitly stated in canon 641 § 1, but it seems in accordance with canon 20 that the provision of canon 641 § 1 must be applied to this case also. This is implied in a declaration issued by the Congregation of Bishops and Regulars, 20 January, 1860: "Ad 4. Si professi votorum simplicium . . . per Apostolicam dispensationem ab emissis votis soluti fuerint, se gerat cum illis prout cum ceteris suis Dioecesanis sese gerere debet" i. e., in the circumstances expressed in the question: " . . . si aut ad Sacros Ordines, aut ad matrimonium forsitan adspirent".[13] On the other hand M. Leitner[14] would extend the provision of canon 669 § 2 to them and maintains that they are *eo ipso* reduced to the lay state: " denn wenn schon die *entlassenen* Ordenskleriker, welche doch durch die Gelübde verpflichtet bleiben, laisiert werden, um so mehr die *säkularisierten,* welche auch kein Gelübde mehr bindet." It is however quite evident that the reduction to the lay state of a cleric in Minor Orders upon dismissal from a religious institute partakes of the nature of a penalty and therefore canon 669 § 2 cannot be applied to him. Nevertheless Leitner's view is accepted in its entirety by T. Schäfer,[15] and by F. Schönsteiner;[16] a distinction is made by I. Chelodi:[17] he would agree with Leitner if a cleric in Minor Orders is secularized, but not if he leaves at the expiration of his temporary profession. But even in the case of a secularized religious (during temporary profession) reduction to the lay state would be unfair and therefore would not be admitted.

Some may object that the first provision of canon 641 § 1 is easily intelligible: before the cleric entered the novitiate, he had been in Major Orders and incardinated in the diocese to which he now returns; but is it reasonable that a cleric even

[13] Bizzarri, *Collectanea in usum Secretariae S. C. Ep. et Reg.,* (Rome, 1885), p. 858-859.

[14] *Handbuch des Katholischen Kirchenrechts,* (Ratisbon: Pustet, 1919), p. 454.

[15] *De Religiosis,* (2. ed., Münster i. W.: Aschendorff, 1931), n. 553.

[16] *Grundriss des Ordensrechtes,* (Vienna: Auer, 1930), p. 604, footnote 1.

[17] *Ius de Personis,* (Trent: Libr. Edit. Tridentum, 1922), p. 448, footnote 1.

only in Minor Orders, which however were received in virtue of dismissorial letters granted by the religious superior without the knowledge and consent of the local Ordinary, should now be foisted on his diocese? There are two fully satisfying answers to this objection. First, the privilege to grant dismissorial letters is bestowed upon religious by the Pope, to whose supreme authority even the bishop must bow. Secondly, the onus imposed upon the diocese is not nearly so great as appears at first sight. When such an ex-religious presents himself as a cleric in Minor Orders, three courses are open to the bishop: (1) he can permit him to remain in the ranks of his diocesan clergy as a secular cleric; (2) he can excardinate him if another bishop is found who will incardinate him (canons 112-117; or (3) he can reduce him to the lay state if conditions warrant it (canon 211 § 2).[18] No doubt it is in order to forestall an unreasonable burdening of a diocese with an ex-religious cleric, that religious in temporary profession may not be promoted to Major Orders.

For those religious who have taken perpetual profession a different rule holds. According to canon 585, by perpetual profession they have lost the proper diocese they had before entering religion; if they secularize they need not be received back into that diocese, but must find an *episcopus benevolus receptor* who will receive them (canon 641 § 1). The indult which an institute with only temporary vows or a society without any vows obtains, provides as a rule that in case the cleric leaves the institute he must find an *episcopus benevolus receptor.* In this case too the secularized cleric cannot demand to be taken back into the diocese in which he had his domicile before entering religion. If a religious who has Major Orders is dismissed during temporary profession, he must return to the diocese he belonged to before he entered (canons 648 and 641 § 1); if he is dismissed after perpetual profession he is either forbidden ever to wear the ecclesiastical garb (canon 670; cf. canons 2385-2388) or is *ipso facto* suspended until the Holy See absolves him (canon 671 n. 1). A cleric in Minor Orders who is dismissed from a religious institute is *ipso facto* reduced to the lay state, whether he had made only temporary (canon 648) or also perpetual profession (canon 669 § 2).

It may happen that a candidate is ready for Major Orders

before his temporary profession expires. For this event in individual cases and for good reasons the Holy See will grant an indult in virtue of which the religious is permitted to take solemn vows before the three years' term of his temporary profession expires, so that he can thus be promoted to Major Orders, and still be within canon 964 n. 3.[19]

The dismissorial letters issued by the superior of exempt religious may not be directed to any bishop, but only to the bishop in whose diocese is situated the religious house to which the ordinand is assigned (canon 965). Some institutes have a further privilege in virtue of which the superiors may send their subjects to any bishop for ordination.

The rule laid down in canon 965 is not absolute. Canon 966 § 1 makes an exception to it, (1) if the bishop who in the first place according to canon 965 is the one to whom dismissorial letters issued by the religious superior ought to be addressed, gives his permission; (2) if he belongs to a rite different from the ordinand's; (3) if he is absent; (4) if he does not intend to confer orders on the next day designated for ordination in canon 1006 § 2; or (5) if the see is vacant and the one who is administering it is not a bishop. However, in order that even in these circumstances the religious superior may send his subjects to another bishop canon 966 § 2 ordains that the dismissorial letters of the religious superior must be accompanied by letters issued by the diocesan curia stating that for one of those reasons the letters for exempt religious issued by their superiors are lawfully directed to a bishop other than the one to whom they ought to have been sent in conformity with canon 965.

Finally, canon 967 warns the religious superior not to circumvent the diocesan bishop by fraudulently transferring a religious from one house to another or by intentionally delaying the issuance of the dismissorial letters to a time when the bishop will be absent or will not confer orders.[20]

Sometimes religious make their studies in a secular seminary and then the question arises who is the bishop to ordain them.

[18] *Commentarium pro Religiosis*, IV [1923], 146-147.

[19] Cf. S. C. Ep. et Reg., decr. *Auctis admodum*, 4 November, 1892, n. 2—*Fontes*, n. 2020.

[20] For penalties incurred by the religious superior for violating any of the above see canon 2410.

Upon representations of the Archbishop of Paris the Congregation of Bishops and Regulars, 7 June, 1899, issued a general decree to the effect that, if an *exempt* religious resides for over a year in a secular seminary, dismissorial letters may be addressed to the bishop of the diocese in which the seminary is situated.[21] If while residing in the seminary the religious is formally assigned to a house of his institute in another diocese, dismissorial letters may be directed to either bishop. The view is taken that this concession may still be used.[22]

III. Non-Exempt Religious.

All religious congregations in which only simple vows, whether temporary or perpetual, are taken, even if they have papal approbation, are *iure communi* not exempt, but subject to the local Ordinary, in conformity with the canons (cf. canon 618 § 1). To all such non-exempt religious canon 964 n. 4 extends the same rules for ordination as for that of seculars. A small number of such non-exempt congregations take only temporary vows, to be renewed at stated times. In most of them the members in due time make perpetual profession. In regard to these latter congregations it will be necessary to distinguish the ordinands according as they have (A) already taken perpetual vows or (B) are still in temporary profession.

A. For non-exempt religious in perpetual profession.

Religious who have already made perpetual profession in a non-exempt congregation follow the same rules for ordination as seculars. Therefore in such non-exempt congregations the religious superior does not issue dismissorial letters; he merely presents his subjects to the proper bishop. It is the latter who "calls" these religious for orders. Which local ordinary has the exclusive right to ordain them or issue dismissorial letters to them? It is the bishop in whose diocese is situated the house to which the ordinand is legitimately assigned. For according to canon 585 the religious by his perpetual profession, even though it be only simple, loses the proper diocese he had before entering the congregation. There is therefore no other which is his proper diocese than that of his religious

[21] *Periodica*, I, 78-79.
[22] *Periodica*, XIV, (52)-(53).

house. It is the bishop of this diocese who can lawfully ordain such religious. He has not only the right but also the obligation to ordain such of these religious as are presented by their major superior. For it is not the bishop but the religious superior who decides whether religious may be ordained. The bishop may refuse to ordain them only if they are lacking some canonical requirement, a point of which he is the judge.[23]

Whether a religious was born in the diocese where he is ordained or in another, he is not obliged to take the oath prescribed in canon 956.

Here arise two questions to which the Code does not give an explicit answer. First, in the circumstances enumerated in canon 966 § 1, have non-exempt religious the right to present their ordinands to another bishop, and is the episcopal curia obliged to issue some sort of release? Not at all. Canon 966 makes a concession to exempt religious whose superiors not only present their subjects for ordination, but grant them dimissorial letters. No such concession is made to non-exempt religious. And just as for seculars so too for these religious the local ordinary will grant dimissorial letters as he sees fit. If the bishop refuses to ordain the religious or to grant them dimissorial letters and if the religious superiors consider his refusal unwarranted, they have no redress but recourse to the Holy See.

Secondly, may the vicar capitular (in this country, the administrator) issue dimissorial letters to religious during the first year of the vacancy of a diocese? The reason for canon 958 § 1, n. 3 does not exist so far as religious in perpetual profession are concerned; for their ordination will not in any way embarrass the diocese. Nevertheless no exception is made for

[23] A bishop may hesitate to ordain religious because he fears that some of those he ordains may leave their congregation and he would then be obliged to receive them into his diocesan clergy. This fear is unfounded. For if a religious in perpetual profession is dismissed from his institute, he is *ipso facto* either deprived even of wearing the ecclesiastical garb (canon 670) or, if he is in Major Orders, he is suspended at the pleasure of the Holy See (canon 671 n. 1), or, if he is in Minor Orders, he is reduced to the lay state (canon 669 § 2): in none of these cases will the bishop who had ordained the dismissed cleric be obliged to receive him into his diocese. If on the other hand the cleric after perpetual profession obtains an indult of exclaustration or secularization, neither the bishop of the diocese he had before entering nor the bishop who ordained him is obliged to receive him into the diocese, but the ex-religious must find an *episcopus benevolus receptor*, i.e., a bishop who will generously but voluntarily receive him into his diocese.

granting dimissorial letters to religious during a vacancy. Though a lacuna might be seen in canon 954 § 1, n. 3, still the issuance of dimissorial letters to religious in these circumstances would be unlawful and entail the penalties inflicted in canon 2409.

B. NON-EXEMPT RELIGIOUS WITH TEMPORARY VOWS.

Most religious congregations have perpetual profession. But canon 574 § 1 requires for all without exception that at the completion of the novitiate, novices take only temporary profession, in which they must remain for at least three full years before they can validly make perpetual vows. A congregation may, however, prescribe that its members never make perpetual profession; they take only temporary vows to be renewed whenever a term expires (canon 488 n. 1).

When there is question of ordaining such non-exempt religious in temporary profession, whether this be the preliminary profession to perpetual profession or the one taken in a congregation that has only temporary profession, then it is that authors disagree as to which bishop may lawfully ordain them. Some claim that it is the bishop in whose diocese is situated the house to which the religious belongs. Others deny this and maintain it is the bishop in whose diocese the ordinand had his domicile before he entered religion.[24] To the present writer it appears certain that the latter opinion is the only correct one, flowing from the canons themselves.

A religious with perpetual vows loses the proper diocese he had in the world (canon 585). Therefore he must have retained it during his novitiate and the whole term of his temporary profession. This opinion is sustained by Fanfani, with

[24] For example, a young man was living with his parents in diocese A; from there he left to join a religious community whose principal house is in diocese B. He is assigned to the study-house of the congregation in diocese C. He is now only in temporary profession and is to receive Tonsure and Minor Orders, or, if he has already spent more than three years in profession in a congregation that takes only temporary vows, also Major Orders: which of the three local ordinaries is empowered to ordain him or issue dimissorial letters? The first opinion would point to the bishop of diocese C; the second to the bishop of diocese A. Although the principal house of the congregation may be situated in diocese B, that fact does not in any way make its bishop the proper local Ordinary of any member of the congregation assigned to a house outside his diocese and he would not be authorized of his own right to ordain such a religious. This is true, even if the congregation is only a diocesan institute.

the succinct statement: " cum professi temporarii non amittant propriam diocesim ".[25] This is easy to explain. When leaving his " home " to enter religion the candidate intends to make perpetual profession ultimately and give up his home in the world. But during the novitiate and temporary profession this intention not to return to the home he left is conditional, viz., provided he in due time makes perpetual profession. Now a conditional intention to give up a domicile does not suffice to destroy the domicile until the condition itself is verified. In other words, then, the religious in temporary vows retains the diocese of domicile he had in the world and the bishop of this diocese is his proper bishop *ratione domicilii,* and is the only one who according to canon 956 is authorized to ordain him.

This conclusion is further supported by canon 982 § 3.[26] This entire canon treats of the *titulus ordinationis* for all religions: in the first paragraph for regulars, i. e., those with solemn vows, it is the so-called *titulus paupertatis;* for religious with simple perpetual vows it is the one assigned in the constitutions, *titulus mensae communis* or *Congregationis* or the like (§ 2). For others, and they are those belonging to congregations in which only temporary profession is made, the ordaining bishop must provide a title of ordination, unless an indult is obtained from the Holy See; any one of the titles for seculars will have to be assigned to these religious.[27] But what is a title of ordination? It is the provision for means of support for the cleric during his whole life.[28] As long as the religious remains in the institute, he will usually not actually

[25] *De Iure Religiosorum,* (2. ed., Turin: Marietti, 1925), n. 285, p. 320. Besides this, some call attention to the fact that the younger religious will frequently be minors and therefore will retain as a necessary domicile that of their father (canon 93 § 1). But may it not be that the *patria potestas* is absorbed in religious profession?

[26] This argument applies directly to religious in whose institutes only temporary profession is made: they can in due time receive Major Orders, when they must be provided with a *titulus ordinationis.* Indirectly, however, it will shed light on the present question also in as far as it concerns religious in temporary vows who will ultimately make perpetual vows; for the present they cannot be promoted to Major Orders, but for the point under discussion the latter are in the same situation as the former.

[27] Cf. *Periodica,* IX, (18).

[28] ". . . Ecclesia statuit neminem ad sacrum subdiaconatus ordinem esse promovendum *sine titulo,* idest sine cautione sufficientis et perpetuae sustentationis."—Gasparri, *De Sacra Ordinatione,* n. 584. In a footnote this author says: " Melius titulus ordinationis diceretur id quod honestam perpetuamque sustentationem promoto praebet."

derive his support from his *titulus ordinationis;* but he will be dependent upon it, if he leaves. Now it will not be a great burden for a diocese to receive one or the other ex-religious cleric who (being only in temporary profession) retained this as his proper diocese, who was ordained by its bishop as his proper bishop and who had obtained from him a *titulus ordinationis.* But what a difference it would make if the bishop in whose diocese the religious house [29] is situated were obliged to provide a *titulus ordinationis* for all the ordinands of that house? It might flood the diocese with ex-religious who would have to be provided for according to their *titulus ordinationis* by the diocese. Is that reasonable? And is the Church likely to impose so exorbitant a burden on any one diocese? If not, then it is not the bishop in whose diocese the religious house is found, but the one who according to canon 585 is still the proper bishop of the religious in simple profession who must provide the *titulus ordinationis* and consequently ordain the religious in temporary profession.

Although the religious in temporary profession in a congregation with perpetual vows cannot be promoted to Major Orders, nevertheless there is no rule for his ordination different from that for those belonging to a congregation with only temporary profession. Therefore indirectly canon 982 § 3 confirms the opinion that even those religious in temporary vows must be promoted by the bishop of the diocese which they had before they entered religion.

What is to be said about the arguments advanced in favor of the opposite opinion? One author comes to the conclusion that even for non-exempt religious in temporary profession, only by insisting that even novices and those in temporary vows voluntarily give up both the parochial and diocesan domicile they had in the world; [30] but his argumentation clearly does violence to canon 585: or how can a religious by perpetual profession lose what he had already given up previously?

[29] N. B. This discussion still refers solely to those congregations in which *only temporary vows* are taken.

[30] *Periodica,* IX, (7)–(8). *Op. cit.,* p. (18): the same conclusion is reached on the mere assumption that religious have a *domicile* in their convent. Is this Vermeersch? The reason with which Voltas (*Commentarium pro Religiosis,* I [1921], 305 note 1) refutes his conclusion as regards novices, applies with equal force to religious in temporary profession. What opinion Voltas himself holds on this particular question is not clear; the whole consultation (p. 299-307) seems to refer to religious with perpetual profession.

If the above is by Vermeersch, it will be well to call attention to an inconsistency. In speaking of canon 585 he calls attention to the fact that this canon has a marked bearing on the question of ordination.[31] Whereas he makes no reference to this canon nor any distinction based on it in his treatment of ordination of non-exempt religious.[32] Oesterle [33] denies that any religious have or need a domicile. Yet he seems to come to the same conclusion that non-exempt religious in temporary profession are to be ordained by the bishops in whose diocese is situated the house to which they belong. For after calling attention that canon 956 requires *an episcopus proprius ratione domicilii* for the ordination of seculars and not of religious, he adds: " In ordinatione *religiosorum* non attenditur *domicilium* ordinandorum, sed *illa* diocesis, ' in qua sita est domus religiosa, ad cuius familiam ordinandus pertinet ' " (p. 177). His first mistake is that he would permit a religious in temporary profession who was not a cleric when he entered the congregation to give up the domicile in the diocese he had in the world, contrary to canon 585; secondly, he generalizes for all even non-exempt religious in temporary profession, what canon 965 imposes only upon exempt religious—a transfer that must first be proved.

Vindex [34] gives all religious without distinction a domicile in their convent because " in c. 585, ubi dicitur religiosos propriam dioecesum per professionem amittere." [35] But canon 585 states this last only of those in perpetual profession. Vindex does not make any application (n. 90-92) for the ordination of religious.

Since those who hold this latter opinion either ignore or even distort canon 585 and extend canon 965 without warrant to non-exempt religious and at the same time fail to add any solid positive reason for their opinion, it seems to be untenable. It would then follow that the opinion expressed above

[31] Vermeersch-Creusen, *Epitome Iuris Canonici,* I (2. ed., Malines: H. Dessain, 1924), n. 684.

[32] *Op. cit.,* II (4 ed., 1930), n. 241, 4.

[33] " De domicilio Religiosorum ", *Commentarium pro Religiosis,* V (1924), 167-178.

[34] " Domicilium et Quasi-Domicilium Eorumque Effectus in Codice Juris Canonici ", *Jus Pontificium,* VI (1926), 34-55, 112-126, 154-158.

[35] N. 41. Note the omission of the word *perpetuam* before *professionem.*

that all non-exempt religious in temporary profession must be ordained by the bishop of the diocese which they had as their proper diocese before they entered the congregation, correctly interprets canons 585 and 964 n. 4.

The non-exempt religious in temporary profession may be promoted only to Tonsure and Minor Orders, not to Major Orders. In view of the ruling in the decree of the Congregation of Bishops and Regulars, *Auctis admodum*,[36] which permitted the religious after three years of temporary profession in congregations requiring a longer term of temporary profession, to receive Major Orders, it may be asked whether this may still be followed. It seems not; for canon 964 n. 4 without distinction forbids religious in temporary profession to receive Major Orders. This same rule is repeated by the Congregation of Religious in its instruction of 1 December, 1931.[37] And yet there a distinction would have been in order if it applied: for at the same place a different distinction is made which is wanting in the Code. For those religious congregations in which only temporary profession is made, only Tonsure and Minor Orders may be conferred during the first three years of profession, after that also the Major Orders. What was said above about exempt religious applies also to non-exempt religious: for good reasons in individual cases the Holy See will permit a religious to make perpetual profession before the full three years' term of temporary profession in order that he may be promoted to Major Orders, provided of course that all other requirements are fulfilled.[38]

IV. For Societies Without Vows.

Societies of men living in common without vows [39] to a great extent are assimilated in their government to religious con-

[36] 4 November, 1892, n. 1—*Fontes*, n. 2020.

[37] N. 15—*Acta Ap. Sedis*, XXIV (1932), 80; Ecclesiastical Review, LXXXVI (1932), 617-618.

[38] Cf. S. C. Ep. et Reg., decr. *Auctis admodum*, 4 November, 1892, n. 2—*Fontes*, n. 2020.

[39] There are a number of such societies represented in the United States, e.g., the Paulists (C.S.P.), Josephites (C.S.J.), Maryknoll Missionaries (M.M.), Sulpicians (S.S.), Congregation of the Most Precious Blood (C.PP.S). However, at least some of these have an indult to grant dimissorial letters; while *iure communi* they would observe the following rules, actually these must be guided by their indult which as a rule will conform to the privilege of exempt religious. Cf. Vermeersch-Creusen, *Epitome Iuris Canonici*, I, n. 777.

gregations with vows, as can be seen from the fact that canons 673-681 apply to them many of the canons concerning religious. Regarding ordination, however, they follow the same rules as secular clerics (canon 678).[40]

Even those who have bound themselves perpetually to their society by the final oath or promise do not lose the domicile they had in the world; for canon 585 is not among those canons referring to religious which are extended to them; and this is all the more significant because of the fact that while the Code was in preparation its extension to them was repeatedly requested but denied.[41]

If then members of such societies never lose the proper diocese they had in the world and for ordination must follow the same rules as secular clerics, the proper bishop to ordain them will be according to canon 956 the bishop in whose diocese they were born and still had their domicile or in whose diocese they had their domicile without origin at the time they joined the society: for that diocese remains forever their proper diocese and its bishop, therefore, their proper bishop for ordination. Moreover, since neither canon 678 nor canon 956 makes any exception, for the event that the ordinand was not born in that proper diocese, he will have to take an oath to remain in it forever.[42] The bishop will also have to provide him with a *titulus ordinationis* unless it is supplied in some special manner.[43]

[40] See above what was said regarding the ordination of non-exempt religious in temporary profession which, *mutatis mutandis*, applies also to members of societies without vows.

[41] "R. P. Goyeneche nobis refert, pluries, dum Codex praeparabatur, petitum fuisse ut c. 585 de dioecesis amissione istis societatibus applicaretur; hoc tamen constanter repudiatum fuisse. . ."—Vermeersch-Creusen, *loc. cit.* Cf. S. Goyeneche, "Consultationes", 18, 3, *Commentarium pro Religiosis*, I (1920), 178.

[42] Oesterle ("Weihekandidaten aus einer Diözesan-Priestergenossenschaft", *Theologisch-Praktische Quartalschrift*, LXXXV [1932], 566-569) comes to the same conclusion, but by a different line of argument. The ordinands of this society, he says, did not acquire a domicile in the diocese in which their house is situated; for on the one hand they could not have the intention of remaining forever in that diocese, since they intended to go to the missions, and on the other they had not yet spent ten years in that diocese (cf. canon 92 § 1). By this reasoning he places himself in conflict with his own findings regarding religious in temporary profession (see above pp. 502-503) who, *mutatis mutandis*, are for the present purposes in the same situation as members of such societies without vows. In both cases he fails to take canon 585 into account.

[43] See above pp. 14-15.

Vermeersch-Creusen [44] states the same premises and seem to come to the same conclusion. Still their brevity leaves it uncertain. On the other hand, Goyeneche,[45] after admitting the premises in n. 3, concludes in n. 4 that the ordination of members of societies without vows is determined by what he styles a *domicilium necessarium seu legale* in the house to which they belong. Thus his conclusion leads to a contradiction: while he denies that members of such societies lose the proper diocese they had when they joined it, he nevertheless assigns them a "necessary domicile" in the house to which they belong. What is more, far from avoiding an incongruity as he imagines, he actually creates one: for whereas according to him the bishop in whose diocese is situated the house to which the ordinands belong is the one who is authorized to ordain them, yet it is not to his diocese that such clerics leaving the society belong, but to the proper diocese they had before they joined the society but whose bishop had no part in their ordination.

Furthermore, if members of such societies can acquire a domicile in a house of the society sufficient for the requirements of canon 956, why does not such a domicile in a house of the society suffice to give these clerics a proper diocese so that they would belong to whichever diocese they are legitimately assigned by their superiors? Absurd? and would that not conflict with canon 585? Yes; but both the absurdity and the conflict flow from the view that would make the bishop in whose diocese is the house of the society to which the ordinands belong, their proper bishop for ordination; and therefore that view itself is false.

There is still another contradiction in which the opinion, that members of such societies are to be ordained by the bishop of the house to which they belong, involves itself. The proponents of this opinion admit that, if—as will frequently happen—the ordinand has only a domicile without origin in the diocese whose bishop is to ordain him or grant him dimissorial letters, he must take an oath as prescribed in canon 956 to remain in the diocese forever.[46]

Yet they admit that, if a member leaves the institute, he does

[44] *Epitome Iuris Canonici*, I, n. 777.
[45] *Commentarium pro Religiosis*, I (1920), 178.
[46] *Commentarium pro Religiosis*, VIII (1927), 113-114.

not belong to the diocese whose bishop ordained him and in which he swore to remain, but to the proper diocese he had before he joined the society. But this contradiction vanishes completely, if he was ordained by the bishop of the proper diocese he had before he joined the society and in which he swore to remain and to which he must return when leaving the society.

On the other hand, the conclusion that a member of a society without vows must, according to canon 956, be ordained by the bishop of the diocese which was his proper diocese when he joined the society, conforms to the law before the Code. On 9 May, 1864, the Congregation of Bishops and Regulars[47] decided a case concerning the ordination of members of a "society of a secular priests"—as the bishop submitting the doubts styled it—which had papal approval. The bishop of one of their houses hesitated to ordain members belonging to the house because they came from other dioceses. The superior admitted that they had no privilege, but believed that because according to their constitutions the members were subject to the bishop in whose diocese their house was situated, he could ordain them, no matter whether they had received some lower Orders from the bishop of their native diocese before they joined the institute or from some other bishop in whose diocese was situated the house to which they had previously been assigned; furthermore, they were of the opinion that by obtaining the necessary testimonial letters from the bishop of their native diocese they were withdrawn from the latter's jurisdiction. The bishop of the principal house admitted that his predecessors had considered these testimonial letters equivalent to *litterae remissoriales*[48] and on the strength of them had ordained members of this society. Notwithstanding these representations the Congregation of Bishops and Regulars decided against the society by the solution of the following doubts:

I. Ad et quomodo Episcopus (A) ad sacram Ordinationem admittere possit alumnos Instituti (B) ex fide Superioris domus declarantis,

[47] *Acta Sanctae Sedis*, I, 358-366.

[48] These were practically the same as those of "excardination" of laymen approved by decree of the Congregation of the Council, 24 November, 1906—*Fontes*, n. 4330.

eosdem alumnos adscriptos esse eidem domui; vel potius necessariae sint litterae dimissoriae et testimoniales Episcopi originis, seu domicilii, iuxta formam Constitutionis Innocentii XII. quae incipit: *Speculatores.*

II. An et quomodo idem dici debeat, quoad alumnos iam promotos ad tonsuram, vel ad aliquem ordinem.

IV. An in casu egressus ab Instituto per dimissionem, aut dispensationem, iidem alumni subiiciantur iurisdictioni Episcopi dioecesis, in qua sita est domus cui adscripti sunt; vel potius illi Episcopo cui subiecti erant priusquam Instituto adscriberentur.

Ad I. *Negative ad primam partem, affirmative ad secundam.*

Ad II. *Affirmative in omnibus.*

Ad IV. *Negative ad primam partem, affirmative ad secundam.*

As late as 1905 a member of the Congregation of the Most Precious Blood in his defence against an action of the bishop of his native diocese claimed that members of his Society (1) did not renounce their proper diocese and (2) were ordained with the dimissorial letters of the bishop of that diocese.[49] And the editors of *Acta Sanctae Sedis* call attention among other things to be learned from this decision to the following: (1) that members of non-exempt societies may not be ordained without dimissorial letters of their proper bishop; (2) that they always belong to the diocese which they had as their proper diocese before they joined the society.

It may be objected that the present writer's opinion imposes a grave burden upon the society or its members respectively, by demanding that for each ordination of each member the bishop whose diocese was the proper diocese of the ordinand had to be approached with the request to ordain him or grant him dimissorial letters. What a number of documents that would mean for each ordinand of perhaps a large class! That is true; but relatively it is a much smaller inconvenience than the burden of receiving members, dispensed from their oath or promise, into a diocese whose bishop had nothing to do with their ordination.

Since the condition of the members of such societies is still the same as before the Code, and since they do not enjoy the favor of canon 585 but retain the proper diocese they had before joining the society, and since according to canon 678

[49] S. C. Ep. et Reg., 27 January, 1905—*Acta Sanctae Sedis,* XXXVIII, 11-13.

their ordination is governed by the same rules as that of secular clerics, we are compelled also by canon 6 n. 2 to conclude that members of such societies are to be ordained by the bishop of the diocese in which they had their domicile at the time they entered the society, or with dimissorial letters granted by him.[50]

While members of such societies must be ordained in conformity with the rules laid down for seculars, especially canon 956, still there is one special rule similar to that laid down for religious; the superiors may not present (or, if they have a papal indult, grant dimissorial letters to) members, except for Tonsure and Minor Orders, as long as the ordinands have not yet taken the final oath or promise binding them perpetually to the society, or, if the society provides for only a temporary bond, before they have spent three full years in the society after taking that oath or promise.[51]

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[50] Likewise it would be permissible that he be ordained by that proper bishop but for another diocese with the consent of the latter's bishop. Then, if he left the institute, he would be incardinated in this latter diocese in virtue of the incardination effected as explained in the previous instalment (April issue, p. 356). In fact it appears that just on account of these inconveniences such societies more easily obtain a papal indult to grant dimissorial letters which as a rule obviates both difficulties, that of finding a bishop to ordain and that of retaining the proper diocese, so that a member ordained in virtue of the indult does not (when "secularizing") return to the diocese he had when he joined the society, but must find an *episcopus benevolus receptor*. See above p. 496.

[51] S. C. de Rel., instruction, 1 December, 1931, n. 15—*Acta Ap. Sedis*, XXIV (1932), 80. ECCLESIASTICAL REVIEW, LXXXVI (1932), 617-618.

Studies and Conferences

Questions, the discussion of which is for the information of the general reader of the Department of Studies and Conferences, are answered in the order in which they reach us. The Editor cannot engage to reply to inquiries by private letter.

WHY WE CALL HER MOTHER.

Austria, Switzerland and Germany, along with parts of France, Spain and Italy have enthusiastically taken up the American observance of an annual Mothers' Day. But with characteristic inventiveness America has recently added something new to the general observance: a Mass in honor of "Mary, Mother of the Human Race". The Servite Fathers obtained permission from Rome to say this Mass at their Shrine of the Sorrowful Mother in Portland, Oregon, and others may eventually obtain this permission. Hereafter, then, Mothers' Day will not pass without some public homage to Mary, the Mother of us all.

This new feast is only the expression of a very old idea. St. Paul used to compare Adam and Christ, the damage done by one and the restoration accomplished by the other. Early Fathers of the Church carried this parallel into detail and contrasted the devil and the angel, Eve and Mary, the tree and the Cross, Adam's disobedience and Christ's obedience. Among all these points, however, particular emphasis came to be placed on the comparative rôle of Eve and Mary, perhaps because God Himself drew attention to them in Paradise at the fatal tree by saying: "I will put enmities between thee and the woman, and thy seed and her seed; she shall crush thy head." Since everyone recognized Eve's part or coöperation, though secondary, in the Fall, they came naturally to recognize Mary's part or coöperation, though secondary, in the restoration. They realized that Mary took part in giving us spiritual and eternal life, and that she therefore deserved the name of Eve, Mother of the Living, and was in all truth our Mother in the spiritual life.

It is a revelation even to a Catholic to go over the events

by which Mary became his mother. And this consideration grounds his affection for her, his confidence and appreciation, on something more than sentiment.

Mary Coöperates in Redemption.

When the Son of God was going to become man, He dispatched an angel prince of His court to greet the young lady He had destined to be His Mother, and to obtain her free consent and coöperation in the great project of saving the world. George Washington's mother could not so coöperate in gaining American independence because she did not know ahead of time that her son would accomplish it and was not asked to become his mother precisely for that purpose. But Mary knew in a broad way what she was to accomplish for all of us, and then agreed out of love for us to carry out her arduous vocation. Already by this consent she helped give us spiritual life and was in that sense our Mother. For, what is a mother but the blessed person who coöperates with God in giving us life and then carefully guides and protects its development?

As the Child grew and Mary learned more clearly what they were both going to suffer, she offered herself again, united her wishes and will to her Son's. Like Him she wished and worked for only one thing, our eternal salvation. To this good will and love was joined something very real, suffering. While Jesus suffered bodily pain in silence and suffered spiritual torment that wrung cries of pain from Him in the Garden and on the Cross, Mary consented and coöperated as well as she could, glad for our sake to have her Son die before her eyes.

The Blessed Virgin's coöperation, moreover, really profited us. Only Christ, it is true, could merit anything in strict justice for anyone else, because He alone was made the spiritual head of the human race, who could suffer in its name and because of His Divinity really earn anything for it. Mary, like the rest of us, could merit for others only by a certain propriety or fitness. When we pray for the conversion of a sinner, is God obliged in justice to give us that favor in return for what we are giving? It is fitting and proper that He do it, but He is not strictly obliged. If a saint prays, the fittingness increases. When the Blessed Virgin suffers and prays and works as she did, the propriety of the merit is unspeakably

great. This is what Pope Pius X meant when he taught that, whatever Christ merited in strict justice, Mary earned out of propriety. "With her Son," wrote Pope Benedict XV, "she redeemed the whole human race."

When, therefore, Christ, finishing His work, bade St. John: "Behold thy Mother", He did not create Mary our mother. He announced to all what was a fact; He drew attention to a truth very useful to salvation; He invited all men to recognize her as the New Eve, as the promised Woman who helped crush Satan's head, as the Mother of their spiritual life.

Mary Coöperates in Application of Redemption to Individuals.

The Redemption, once accomplished for all by our Lord's death, had still to be applied in fact to each man as he came into the world. At our Baptism, Christ became for us personally "an advocate with the Father and a propitiation for our sins"; He became the High Priest through whom our prayers and contrition reach the Father, and through whom all grace and spiritual life comes to us. He had merited it for us nineteen hundred years before; then He began to apply it to each of us.

We believe that just as Mary coöperated in the original work of Redemption, so she now coöperates in applying it. She distributes all graces. That is: all graces that God gives us are the fruit of Mary's prayer. This would of course be impossible and distracting if Mary had to pray for each of our needs in the same material way as we do. She sees God and in Him all that interests her on earth—all her children, their spiritual welfare. In this glance, in this loving vision of God, there is a prayer perfectly conformed to God's will and embracing all our needs. God foresaw these prayers of our Mother and hence has not to change His plans. For her this is not a distraction or hard work, because just as Christ said it is more blessed to give than to receive and the Little Flower said she would spend her heaven doing good on earth, so Mary regards her personal care for each of us as one of her great joys and merely the achievement of a work she began on earth. The grace of being in the Church, of receiving a Catholic education, of being in proper dispositions for receiving the Sacraments,

and all that is helping us hour after hour to live and die in the love of God—all was merited by Christ with Mary's coöperation, and is now applied to us by our High Priest Jesus Christ through the interest and prayer of Mary our Mother. Every grace we receive is a token of Mary's love and attention.

Evidently, then, the Blessed Virgin is our mother, not because she acts as if she were our mother or because Christ gave her the title, but because she takes part in *giving* us the life of grace on earth and of glory in heaven, and in *protecting* and preserving it for us. In return, we can only strive to imitate the affection and confidence that her "firstborn Son" and our Elder Brother, Jesus Christ, showed her.

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DECORATION OF OUR CHURCHES.

A Criticism and a Suggestion.

The following communication is published as an expression of the opinion of a technically well informed observer of Catholic taste as displayed in our churches. The Editor does not share in large measure the pessimism that is revealed, although he does recall one Eastern church in which nearly every fault described actually appeared. Ruskin, whose ferocity as an art critic is well known, once remarked in substance that it is infinitely more important to know how things are going than to know how they stand. This paper has been submitted to a competent architect who in line with Ruskin's principle calls attention with temperate care to the drift toward better things.—EDITOR.

To the Catholic whose taste in liturgical matters is soundly Catholic, the multiplication of hideous churches is a constant grief. The taste of the public in secular matters has risen enormously during the present century, thanks to propaganda in the public press and periodicals where the makers of paint, carpets, plumbing and furniture help to shepherd a wary public along its polychromed way. A wave of "standardized" beauty has swept over the country, but it seems to have left many of our Catholic churches quite untouched. Here in all of its pristine vulgarity is to be found the "lifelike" statue

with glass eyes, on a "gothic" pedestal, and decorated with tinsel lace; the onyx and brass communion rail; the sanctuary decorated with restaurant cupids trailing garlands of liver-colored flowers. Here on the altar of the Most High is the espadistra in its pink flowerpot, banished from the parlor window (now that we know better) and used to ornament the house of God.

We have become so used to this form of decoration that now, unless the church is uglier than our houses, we have misgivings lest we have entered one of another denomination. "Thank God", cried a recent convert on being shown a High Episcopalian church filled with Catholic commercial art, "they are just as vulgar as we are".[1] Four hundred years ago in our own houses we were content to use simple wooden furniture, but for the parish church we were more fastidious; the best craftsmen in wood, iron, gold and silver were put to work upon the altar. No matter how poor the church, the sanctuary floor was paved in stone or marble, while the floors of our houses were strewn with rushes. Crudely carved signs and images advertised our guilds and shops, but special sculptors were employed to make the statues for the church; and although our houses were lighted by poorly-made windows those of the church were filled by the medieval glass workers with inimitable glory. What has happened in this age of progress to bring to such a low level the liturgical arts in our churches?

To anyone who considers the situation thoughtfully it is obvious that the fault can be divided pretty evenly among the priest, the wholesale manufacturer and the public who, if not indifferent, acquiesce to avoid parish bloodshed. A gordian knot which can be loosened only by time has bound the priest and the supply house together for their mutual undoing. The priest who fears that liturgical traditions make too thin a diet for his flock or who from lack of time is forced to leave the decoration of his church in pious but inexpert hands, is compelled to buy from the supply house those things which the supply house has for sale. On the other hand, the manufacturer sells to the priest those things that he is asked for. And so the gordian knot becomes a vicious circle. Occasionally

[1] It is somewhat striking that not long since a High Episcopalian authority remarked to a Catholic friend: "Episcopal church decoration is very inferior and far behind the standard set by the Catholic churches."—EDITOR.

one finds beautiful things in the supply house, but it is safe to wager that they will remain on the shelves unwanted, whilst a long procession of "real marble statues" from a foreign quarry is filling the holds of ships coming to our shores. Occasionally an effort is made to erect a church according to the liturgical requirements of the Sacred Congregation, but unless the priest gives up his parish duties to devote himself to unfamiliar esthetics, he must take what he can find ready to his hand. The wholesale manufacturer may perhaps begin his business with a laudable desire to foster the liturgy, but as conditions are now it is for him a short road to bankruptcy.

To the question why we allow our churches to be filled with objects which we would throw from our houses, the invariable reply is that these things are put there to aid the devotion of the people. "We must remember that our churches are not museums of good taste," a priest once said, "and that we must not bring intellectual snobbery into the house of God." This is apt to reduce the questioner to a state of becoming humility and the well-meaning priest now feels that he has upheld the rights of "the People". This is all well and good, but is not the Church the teacher as of old and does obedience to Liturgy become snobbery when it is decoration, but Law when it is ceremony?

If a well-meaning member of a parish gives the priest a chasuble made of her favorite watermelon pink decorated with tobacco color, the priest must tell her that it cannot be used, even on Laetare Sunday; and even at the risk of her discontinuing to be a pewholder he must remain adamant. If another parishioner objects to the Latin language and asks to have Mass said in the vernacular he would rightly be refused. Both of these matters are regulated by law and it is *only in matters so regulated that the Church cannot be vulgarized.* This then seems to be the key of the situation. If episcopal jurisdiction can extend into the realm of esthetics, then the harassed priest has a fortress to which he may retreat when bad taste in the parish becomes rampant and threatening.

If the two parishioners mentioned above give to the priest a statue quite out of scale with the proportions of the church and decorated by an absent-minded artisan with an air brush, and if it has glass eyes and a vacant expression (which we have

come to recognize as a symbol of piety when used on statues), and if this statue has for its only recommendation that there are two thousand others just like it in this country (and more coming); and that it purports to represent the holy Mother of our Lord, he will not only accept it but will allow a name-plate to announce the donor; and further he will be willing to receive several more of assorted sizes because in his heart he may think they are "pretty". He was not trained in the seminary to distinguish between the "bad" and the "awfully bad," because he was being taught about the "good" and the "awfully good," as exemplified in comparative pictures of Santa Maria Novella in Florence or Chartres Cathedral in France.

Any number of lectures on architecture and painting can be and are speedily forgotten by a busy seminarian unless there is some practical application of the knowledge. This is particularly the case when the student is already cramming his other subjects. Esthetics become non-essential. Explanations of architectural beauties of great cathedrals and paintings have their use in general cultivation of the mind. One should know that cast brass is vulgar and wrought iron beautiful; that a multiplicity of statues in a small-scale church is in bad style; that sentimental statues of no artistic worth do not lift the heart and mind toward heaven but rather arrest both. The newly ordained priest may never see Florence or Chartres, but as soon as he gets his first church he will see all of these horrors and unless he is armed by some artistic knowledge he will be helpless against the flood of pious and badly selected donations.

If the priest who is about to begin a new church has not an educated taste he may possibly fill the gap with an unconscious assurance gained from the amount of deference paid to his vocation by the laity. Because he speaks with authority on matters of faith he will also speak with assurance on matters of art, of which he may not have the foggiest notion. Attempts at liturgical reform in his church running counter to his taste will naturally be condemned as "highbrow," and a suspected deterrent to the prayers of the congregation. Moreover, the priest who cannot know with any certainty what is good and what is bad in church decoration, almost invariably comforts

himself by making his church exactly like the one in a nearby parish which is probably in the worst possible taste.

This is the psychological moment when the importer of church goods, armed with glazed catalogues, descends upon the priest. Almost no "salesmanship" is required; the priest is ready and willing and waiting for him and so is the group of enthusiasts, each of whom is ready and willing to become a donor to the new church. Here is the doctor of the parish waiting to give a new statue, the largest that can be bought, provided it is of Saint Matilda, the patron saint of his departed wife. A statue seven feet high is then ordered (no matter whether the rest of the congregation have any special devotion to her). The Catholic supervisor of the town is ready to give a statue of the Sacred Heart, but not being as well off as is the doctor this statue can be only four feet six. This statue is destined for the Gospel side-altar to correspond with the statue of Our Lady donated by a former parishioner, in Wisconsin. No one knows, certainly not the priest, for whom it is to be a surprise, what kind of a statue or what its dimensions may be. It is safe to wager, however, that it will be out of scale with the altar. As the two side-altars are now supplied, the need of a plaster pedestal arises. It is apt to be decorated with Icanthus Dementia, that strange Graeco-Gothic hybrid which flourishes beneath most of our plaster statues. On this pedestal will ultimately stand the statue of Saint Matilda who will later dominate the church even as the statue of Liberty dominates Bedloes Island.

It takes time and patience and infinite tact to save the interior of a newly built church, and a busy priest even if he has taste and enthusiasm cannot cope single-handed with all the minutiae, especially when his life is dedicated to incessant interruption, as is the life of every busy parish priest. He therefore shelves these matters, to make way for the greater spiritual responsibilities of his pastoral work. This responsibility falls on the trained and willing shoulders of the church goods furnisher, who very naturally supplies so much that for eighteen years afterward there is scarcely room in the church to lift up a contrite heart.

The amount of money set aside for the building of a church is frequently exhausted on the architectural shell and the in-

terior is left to the haphazard taste and impetuous generosity of the congregation. Because of our Catholic faith our sanctuaries should be more carefully considered than any other part of ecclesiastical buildings and should be more beautiful by reason of the Presence of the Blessed Sacrament, than the sanctuaries of any other denomination. Our whole belief and almost all of our ceremonies center within the choir of the church. It is not necessary that great sums of money be spent to gain this end, although it is fitting that in proportion to the amount expended on the whole building the decoration of the sanctuary should be considered before the ornamentation of the belfry.

Great beauty may be obtained by elimination and elimination is not costly. Mismanagement and lack of experience are expensive and the interiors of our churches are often left in inexperienced hands; no thought being taken of the scale of the building, no general color scheme imposed, no general plan for the entire church arrived at either with or without the help of the architect. As a result, a multiplicity of statues, votive light stands, pedestals, shrines and potted palms explode on one's staggered vision as one enter's the church where, were it not for the sanctuary light (for the rubric of the veiled tabernacle is generally disregarded), one might search as did Mary Magdalen on the First Easter morning.

REMEDY.

The remedy for this condition may not be so difficult to find if there could be established in each diocese a Liturgical Board working in an advisory capacity with the Building Commission. This Board could specially watch over the fate of the smaller churches since the larger ones are generally in competent hands. To this Board the harassed priest might appeal for guidance and help and he should have access to established and standard works of reference which could be lent to him until his church had passed the danger mark. The Board should consist of architects, trained liturgists and artists who understand decorative color from the artistic and liturgical points of view. This Board should function solely for the liturgical betterment of our churches, working for the utmost

beauty within the financial limitations of each particular church.

When a trained liturgist cannot be had for this purpose, help and guidance can be sought from the newly established Liturgical Arts Society in this country. The need for artistic direction is self-evident and besides the crying need for the architect the need for an artist or decorator, trained for this purpose, is imperative. To each priest about to build, a set of recommendations should be issued, backed by episcopal approval. These recommendations should be sufficiently elastic to prevent standardization, but they should be based on the liturgical and artistic traditions of the Church.

To those who think this scheme impractical because of the difficulties of frequent meetings, it is suggested that very few meetings would be required if the recommendations sent from the Board were sufficiently considered and arranged for several types of churches. If, for example, a general plan was adopted for churches the interior of which is to cost twelve thousand dollars, taking into due consideration the appropriate size and height of the altars and reredos, the liturgical regulations as to construction and color with a strongly emphasized list of "*don'ts*", this plan would cover several types of churches in the diocese and no special meetings would be required. For a church with only six thousand dollars allowed for the interior (and this is the kind that multiplies and is generally the ugliest), the Board would then suggest, always with episcopal recommendation, the appropriate use of simple materials used to their best advantage and the elimination of too many statues.

To the harassed priest these recommendations would be a fortress of strength against the offended parishioners, who would then be asked to give money rather than specific objects. Any personal feeling against the pastor would be diverted harmlessly to the diocesan regulations. The priest could then simplify his church without the embarrassment of hurt feelings. To the harassed priest ready to simplify his church but recognizing the need for tact toward outraged donors of objects which the church would be better without, the episcopal regulations would come to his support and the parishioners themselves would submit with better grace. Moreover, the

freedom of the individual congregation need not be trampled upon and in fact greater individuality should be recommended at all times, *provided that our liturgical ancestry be always remembered.*

The Board should have a small reference library available to all priests of the diocese containing such practical books as those now easily obtainable on rubrical use of color, the proper construction of the altar, use of linen, etc. From commercial catalogues well-made statues can be selected since individual works of art are too costly for the smaller churches. Many of these statues have great charm, which is often, however, destroyed by sentimental color. For a small additional sum these statues can be painted to match the walls of the church or be covered with gold or silver leaf. If an artist is available they can be painted in rich and fine color as were those of the best period.

The priest armed and fortified by these directions may now select from his congregation two members working with himself and the architect. They should devote as much time as is required by this high task and endeavor to familiarize themselves with the liturgical requirements of the Church. They should be selected for their taste rather than their piety and they should be ready at all times to take over from the priest, if he is too busy, the general direction of this work.

The work of the Liturgical Board would in no way encroach on that of the Building Committee. Its function would be to work for the liturgical betterment of church interiors, especially of smaller churches. The most pressing need is that of the small church in the country town where from its commanding position in the community it can do untold harm by destroying public taste. We look upon the Church as our guide and teacher. How can the laity then know that she is no longer the Mother of the Arts when she is as always the Mother of Fair Delight? Is it logical for the Mother to bend so low that she lowers the dignity of her sanctuary to please the unliturgical taste of her untaught children while at the same time she remains adamant in matters touching the liturgical decorum of her offices? How can the laity know that these hideous interiors are not the official taste of the Church, when they see them multiplied on every hand? But rather is this

not the commercial taste of the church goods furnishers by which we have allowed ourselves to be overwhelmed?

The official taste of the Catholic Church is liturgical, as is her official taste in music. Neither can become vulgar, since St. Thomas Aquinas in the *Summa* says that the senses should be employed in divine worship as we are corporate beings; yet after suffering from the banalities of the waltz-time hymn and the glass-eyed statue, one feels that the senses of hearing and seeing are best used in the service of God by cotton wool and blinders.

On entering the Catholic Church the eye should find the tabernacle long before it is conscious of statues, stations or ornaments. Every means should be taken to bring this about either by the emphasis of color in the sanctuary or the elimination of unnecessary objects throughout the church. In ecclesiastical decoration there should be some definite meaning or symbol in all ornament. Antipendia, where possible, should be employed. This is a true and satisfying form of decoration and extremely economical when used in small churches. The five sets can be made, if sufficiently simple materials are chosen, for the usual price of the over-decorated imitation marble front of the altar. The General Rubric of the Missal is as follows: "Let the altar on which the most Holy Sacrifice of the Mass be celebrated . . . be ornamented by a pall of the color (as far as possible) proper to the office of the day". (Excepting in a few of the larger churches this rubric is honored in the breach rather than the observance, as is the liturgical chant, in spite of the Motu Proprio of Pope Pius X). During Advent, on entering the church in which the tabernacle is veiled and the frontal is of violet, the eye sends the sobering message to the brain far more indelibly than the ear receives the sermon, no matter how eloquent. Symbols have a magical appeal to the imagination. The open tabernacle on Good Friday proclaims the desolation of the church more surely than does the presence of the crucifix upon the altar rail.

It would be good if we could remember the standards set by our remote forefathers when a church was in the building. We would discover precedents to control our exuberances. We find in the maligned dark ages that the arts, far from being superfluous ornaments, were the servants of religion. In those

days when learning was confined to scholars the great mass of the people were taught not from books, but through music, painted glass, sculpture and abstract color. The same roof that covered the high altar gave shelter to the stage on which the morality play was acted. All of the arts were used by wise generations to amplify the sometimes dry and abstract exposition of truth from the pulpit.

The powerful stimuli to the emotions through the eye and the ear controlled by the liturgy and expressed through the arts and acting upon the minds of the people are almost totally lacking in our day. Each of the liturgical colors established in the early ages of the Church symbolizes the emotion with which the Christian recognizes the office of the day. Ages before science dissected color for the purposes of calming hysterical patients or stimulating melancholics, the Catholic Church was using pomegranate red for feasts of exultation and violet for days of sorrow. The great drama of the New Testament was acted visibly and subtly. From the high altar, aided by the use of abstract color, not as at present in the isolated vestment of the celebrant but in the great dossal hangings and frontals changed for each separate feast. From the choir the sober voice of plain chant spoke clearly and gravely the proper of the Mass and always the austerity and reserve of its rhythms controlled exuberance and forbade the mourner to despair. Within the liturgical boundaries of Christian music and Christian art the true spirit of the Catholic Church is as alive to-day as in past centuries. There is no place within its richly patterned borders for hysterical joy or devastating sorrow. The shadow of the Cross falls upon the manger at Bethlehem, as the light of hope shines over the catafalque of the faithful departed, just as the voice of the Church sounds in no uncertain way in the beautiful and controlled music of the "Adeste Fideles" and the "Dies Irae".

In the last two hundred years successive waves of bad taste have almost engulfed us. The lamentable change from our great past has crept in so insidiously that only the anxious watcher looking back can see how far we have drifted. Those who feel that the Church must once again become the mother of the arts are not without hope. Straws are bending in a freshening wind and one must hope and pray that the breeze

will soon become a hurricane, strong enough to blow from our churches the frivolities and fripperies with which many of them are filled so that we may once again return to the sober dignity of true liturgical decoration. A time not too far distant will come when the artist, poet, musician and architect may join the priest in the psalm recited in the lavabo:

"I have loved, O Lord, the beauty of Thy house and the place where Thy glory dwelleth."

CHARLTON FORTUNE.

Comment on the Foregoing.

I can well understand the zeal for good taste that prompts the expression of the severely critical views found in the above pages. Perhaps every fault mentioned is to be seen somewhere in the decorations that are found in our churches. Aside, however, from conditions that are objectively and inexcusably bad (which after all are not so frequently found), we should take care to make allowances for the heterogeneous groups among American Catholics. Race groups have their own traditions of good taste and general esthetic feeling. We should not deal lightly with such traditions, for the subjective element is of serious importance in our artistic expression. We appear to be working toward a degree of standardization, but our progress will be surer if we deal a bit tenderly with racial feeling and ecclesiastical tradition in treating the interior of our churches. Race groups that find their dearest cherished memories associated with conventional art form will hardly find as much spiritual comfort in other forms that may be forced upon them. And, after all, art has been historically the expression in forms of beauty, of a local soul.

Manufacturers prefer to make their products according to carefully considered models. I have no doubt that a definite movement is now under way toward the elimination of the more faulty forms of art and decoration. The tendency to simplify interiors, to reduce the number of statues to a minimum and to concentrate upon a few items carefully chosen is marked. Perhaps taste is well displayed in judicious selection, a high order of discrimination and corresponding elimination.

We are emerging from conditions more or less as they are

described and we are definitely headed toward better things. In that development consideration will be retained for certain formulae of good taste that have been associated with the growth of the American Church. There must be a limit to standardization. What is loud, showy and gaudy to one group may be quiet, restrained and agreeable to another. We have been frankly experimenting with churches as we have been with every other form of building. Of course, our finest efforts should appear in our churches. The house of God is worthy of our best in wisdom, achievement and skill. It invites gifts that express the thoughts of hearts and the high loyalties of devotion. It is to be regretted that commercialization has led to ugly forms that are nevertheless associated with noble feeling. But our improvement is definitely marked. Vulgarity will not disappear altogether, but I feel that our architectural expression will in the near future be much less ostentatious. Poor workmanship will crowd itself out of the Church and taste will become so disciplined that the Catholic Church will again exercise a wholesome influence upon the plastic, decorative and architectural arts as she did in the past. The day will come when priests will no longer "go shopping" for statues. These will be selected in relation to setting, general character and proportion in the church. All church goods dealers with whom I have ever worked have been delighted to produce according to designs that are furnished. When properly supervised, their work is excellent.

The constructive suggestions contained in the above communication give promise of real service. A priest who is willing to consult with a diocesan board, one who recognizes his own esthetic limitations and possesses imagination enough to recognize and respect human feeling, even though badly expressed with ugly realism in a statue, will be the sentinel of beauty in his church. And manufacturers and church goods dealers will welcome the day when accepted canons of good taste will permit them to follow the way that their hearts would choose in being likewise ministers to the beauty of the house of God.

FREDERICK V. MURPHY.

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DIOCESAN PRIESTS AND THE FOREIGN MISSIONS.

To the Editor, THE ECCLESIASTICAL REVIEW.

Not so very many years ago, as time is considered historically, this nation of ours could have been appropriately called a missionary country—in fact, there are many parts of it which still can fittingly bear that title. However, because it was a new country, rich in the properties which attract men, it soon outgrew its primitive state and became one of the richest and most powerful nations in the world. Culture developed side by side with industry, and religion kept pace with both. The Catholic Church in this country can rightly feel proud of the position she maintains, and who can say that much of the credit, if credit is to be given, does not belong to those missionary priests who sacrificed all for our sake and for the cause of the Catholic Church in America?

As we look about us now and see our beautiful churches, our well organized dioceses and flourishing parishes, we are rather prone to forget the debt we owe to missionary endeavor and feel perhaps that we, and we alone, are responsible for all the work which greets our eyes. It is so very easy to forget, and so easy to develop that self-complacent attitude which usually expresses itself in a complete indifference to the needs of anyone but oneself. It is easy to develop such an attitude and in a priest it is fatal, fatal to the position he holds as an Apostle of Christ, and because of that, it must also prove a death-blow to any missionary spirit that may slumber within him. There is nothing doing more to hinder missionary work to-day than the priest who is not able to see beyond the boundaries of his own parish, or who refuses to open his eyes lest he see more than he can bear. But, if one neglects to open his eyes and look upon the wide harvest of the world, unless one conquers oneself with the true missionary spirit, even while he is yet in the seminary, he must go forth to his life's work lagging behind the eager spirit of his time and condemned in an age of Catholicity to lead a life of provincialism.

One may ask, what can the secular priest who is engaged in parish work, do for the missions. Is not the missionary work of the diocese carried on by the Diocesan Director of the Society for the Propagation of the Faith? Is that not sufficient

to care for any work that is to be done? The answer to such a question is obvious. No, it is not sufficient. A diocese closed to all missionary effort, except what the Diocesan Director can do himself, is not doing justice to the missionary cause. The coöperation of the parish priests is needed and needed badly. The true priest of Christ should feel that he has his duty to perform in regard to the missions, just as the Director of the Society for the Propagation of the Faith has his. Not in the same manner perhaps, nor in the same degree, but a true duty all the same.

There is so much that the parish priest can accomplish, which the Diocesan Director has neither the time nor the means to do. It is the priest in the parish who is in direct contact with the laity, and ultimately it is there where most assistance must come from. Why cannot each parish have its own little missionary society, working in union with the main Society, so as to inform the people about the missions, and show them their needs and make a more direct appeal than otherwise can be done. The mission idea must be infused into the faithful if we are to expect their help, and what better means could be employed than that? Certainly there is room for such a society in most of our parishes. The results would surely be worth the efforts expended. Then too, why not preach an occasional sermon on the missions and show the people that you are interested in the success of this work? Encourage them to offer their support in the mission cause, if not by money at least by their prayers. "Pray for the Missions," ought to be an exhortation frequently heard in every church. As was said before, it is so easy to forget. But we must not forget, we must remember and above all, we must act. The diocesan clergy must not lag behind in missionary endeavor, for while we may not be called upon to go into strange lands, we can still be missionaries in spirit just as the man who goes to China or India. We can at least have our heart in missionary countries.

C. A. H.

WHY LITHUANIANS LEAVE THE CHURCH.

To the Editor, THE ECCLESIASTICAL REVIEW.

This question touches on many complicated problems created by the immigration of foreign-born Catholics to the United States who bring with them many cultural traditions, particularly those associated with their Catholic worship in the home lands. Lithuanians are ninety per cent Catholic. When they came to America seeking freedom from Russian thraldom, and opportunity for self-improvement, they brought a sturdy loyalty to their Catholic faith with them. However, their inability to use English and the lack of priests who could speak their language presented a very grave obstacle to the maintenance of their faith. In the last decade of the nineteenth century there were about a dozen Lithuanian priests in this country. Sometimes opposition or indifference on the part of local pastors created difficulties. Lithuanian Catholic Mutual Aid Societies did their best to insure the services of a priest at Eastertide whenever they could find one. Sometimes these people were made to feel that they were not welcome in the local parish. The visiting clergy had little or no relation to the pastor. They worked hard and they were poor. They found themselves unable to contribute to the support of the Church. Often they had been poorly instructed and had failed to appreciate the obligation of hearing Mass on Sunday. In a situation like this, neglect of Mass and the Sacraments was inevitable. An anti-Catholic press published in Lithuanian did much to lead many away from the Church. Perhaps it is more accurate to say, not that large numbers have fallen away, but that they have become indifferent or even radical in their views of religion.

In more recent years priests were multipled, parishes were formed and the Lithuanians did much to support their churches. Grave difficulties, however, remained. We find a parish, for instance, composed of 300 Lithuanians, 275 Poles, and 130 Americans. This is not unusual. What priest can meet such a situation adequately. Is it not inevitable that many from the different groups will fall away from the faith? When we meet an American pastor who refuses to call upon priests to hear confessions in these foreign languages even at Easter time, we must expect just what happens, a drift away from the Church.

Meantime Lithuanians who settled in the country distant from a church and came into contact with active Protestant Home Mission Societies will show us further losses that are hardly to be avoided.

There are about one million Lithuanians in the United States. One-third live on farms; another third in towns and small cities, and the remainder in large cities. Losses in all three conditions continue with wearying monotony. There are not over five or six Independent Lithuanian National Churches which represent a radical departure from traditional faith. The American-born Lithuanian is not inclined to welcome the leadership of a spiritual father not of his race. Much might be done through missions and retreats conducted in Lithuanian. We hear of pastors who never endeavor to provide a mission for Lithuanians, even when they are numerous in the parishes. These need greater attention because of their pitiable condition as regards faith, maladjustment to American life and previous lack of instruction. The writer can testify to the generosity of the Lithuanians when proper attention is given to their needs and guidance is offered through the language that reaches their hearts and stirs the emotions of loyalty to their faith.

Lithuanians received the faith through Polish channels toward the end of the fourteenth century and the beginning of the fifteenth. In the sixteenth century they accepted the Protestantism of Luther. In the face of a general movement toward apostasy, when princes abandoned the churches and the people followed them, Bishop Gedraitis and seven priests remained faithful. At the Bishop's invitation, Jesuit Fathers did heroic work. Catechism, prayer books and Catholic literature were provided in abundance, and by the middle of the eighteenth century the Lithuanians had returned to their faith. Persecution could not drive them away, but later Russian influences that suppressed the Lithuanian press and closed the University of Vilna made serious inroads upon Lithuanian faith and culture. When may we hope for the resources and wisdom that will take charge of the situation, put a stop to this leakage and nourish the souls of the Lithuanians with the Bread of Life?

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REVELATIONS OF A PARISH CENSUS.

To The Editor, THE ECCLESIASTICAL REVIEW.

In March, April and July 1930, the writer published in THE ECCLESIASTICAL REVIEW three articles under the heading "Revelations of a Parish Census". They were a study, among other things, of the invalid marriages in this parish, based upon our parish census of that year. In the light of the 1930 statistics, some further comparative figures concerning invalid marriages may be of interest.

Since the census of 1930 we have validated in this parish 153 marriages, in which there were 486 persons who have been brought back to the Church. This fact is mentioned merely to indicate that the whole marriage question has been given the most careful attention here, and persistent efforts are made, through every channel known to us, to discourage mixed marriages, and to validate them if unfortunately they are contracted outside the Church.

In spite of all this anxious care, our uncompleted census for 1933 reveals the sad fact that we are making little or no headway either in avoiding mixed marriages, or in eliminating invalid marriages. Apparently, Love Laughs at Dispensations. The following are the distressing figures up to date:

Total Invalid Marriages in Parish 61
both parties Catholics in 15, or 24½% of the total;
woman Catholic in 26, or 42½% of the total;
man Catholic in 20, or 33% of the total.

Of these 61 invalid marriages, a total of 25 can never be validated. This is 40% of the total. They are:

5 in which both are Catholics, or	8%
10 in which the woman is a Catholic, or	16%
10 in which the man is a Catholic, or	16%

These 25 marriages, containing 89 persons, are of impossible validation, either because of a previous valid marriage, or because of the hostility of the non-Catholic party, or, in cases by no means rare, of the total apostacy or indifference of the former Catholic party.

In our former census, only 8% of our total marriages were invalid; whereas the present figures show a jump to 12½% of

all marriages being invalid. This is an increase of over 50%. No one can feel proud about it.

We are making exhaustive case histories of these 61 invalid marriages to learn if possible the reason for this terrifying leakage from the Church, where every religious facility is at their disposal. This matter seems to be too important to be left to the fact-gathering propensity of any parish priest. We should know more about causes before we can draw any satisfactory conclusions to guide us for the future. Hence I would like to see before I die some smart person going on for a degree in the social sciences in our universities, do some intensive research work and gather accurate and detailed statistics to learn the answers to some other interesting questions, such as:

How many persons involved in invalid marriages
were educated in Catholic grade schools
Catholic high schools
Catholic colleges
public grade schools
public high schools
secular colleges;

How many were the children of previous mixed or invalid marriages;

How many consulted a priest before contracting an invalid marriage;

How many had a previous invalid marriage anulled by the ecclesiastical court.

THOMAS F. COAKLEY.

Pittsburgh, Pennsylvania.

REMOVAL OF PREGNANT UTERUS.

Qu. Would you please state in the REVIEW for the benefit of many subscribers, your position in regard to the recent discussion between Father Vermeersch and Father Gemelli. This debate was carried in the *Nouvelle Revue Théologique* (June to Sept., 1933), and has to do with the following case:

Does the removal of the "uterus" when it is pregnant, yet cancerous, constitute a direct abortion (Gemelli); or is it an indirect abortion and hence licit when it is the only means of saving the life of a mother (Vermeersch)?

Resp. This controversy occupies eighty-one pages of the magazine above mentioned, of which Father Gemelli contributes fifty-eight and Father Vermeersch, S.J., twenty-three. Discussion began with an article by Father Gemelli in the June, 1933, issue in which he endeavored to refute the contention of certain physicians who maintained that therapeutic abortions could be justified on the same ground as the removal of a cancerous womb containing an unviable foetus. Father Gemelli would cut the ground from under the doctors' feet and prove that the latter operation constitutes direct killing of the foetus and is therefore immoral. He admits that he stands alone among Catholic authors in maintaining this position, but maintains that they have erred on the moral issue because they were unacquainted with the medical and biological aspects of the operation.

Father Vermeersch has no difficulty in showing that his opponent adopts a mistaken method of refuting the physicians. We must not, maintains the former, abandon our moral principles and applications merely for the sake of confounding physicians by a simple and facile method. We should refute them by proving that their use of and inferences from our moral reasoning and solutions are wrong.

To the question asked in the communication printed above, our answer is that the position taken by Father Vermeersch is undoubtedly and overwhelmingly correct. The removal of a cancerous pregnant womb in the conditions assumed in this controversy involves clearly indirect killing of the foetus and therefore is permissible in order to save the life of the mother. We are not called upon by our correspondent, nor do we think it necessary, either to give our reasons for this decision or to set forth any analysis or commentary upon the arguments made by either of the disputants. However, it may be useful to call attention to some of the causes of the misleading arguments and mistaken judgments that are not infrequently found in discussions of this operation and of other actions involving the question of direct or indirect killing. As we all know, this problem is always or practically always solved in the light of the familiar " rule of double effect ". Unfortunately, this rule has received more than one formulation at the hands of the theologians. Some of these are lacking in clarity and precision and

provide occasion for incorrect argumentation and wrong conclusions.

" Intend," " intention," " voluntarium directum," " voluntarium indirectum," " per se," and " per accidens,"—can all be productive of mental confusion but the principal offenders are the first two. According to the surgeon to whom Father Gemelli replies, in the removal of a placenta which is the source of a deadly infection to the pregnant woman, the operator's " intention " is not to kill the foetus directly but to " eliminate the focus of infection ". According to Father Gemelli, the death of the foetus which follows the expulsion of a cancerous womb is " intended ". According to Father Vermeersch, it is not " intended ".

In one sense, every effect of an action which is foreseen, even though deplored, is " intended ". In the case of indirect and legitimate killing, however, the precise and distinguishing and vital consideration is that the deplored evil effect, even though in the wide sense " intended," is intended neither as an end nor as an *efficient cause*.

Even the term " means " as qualifying the evil effect with relation to the good effect, is not without ambiguity. In more than one place, Father Gemelli declares that the expulsion of a cancerous pregnant womb amounts to a direct killing of the foetus because the death of the latter is used as a " means " to the safety of the mother. Father Vermeersch flatly denies this assertion. Possibly, however, this disagreement between the two writers is based upon their differing views of the physical nature of one of the parts of the operation.[1]

Finally, the phrases " immediate " and " aeque immediate " as applied to the good effect and the good and bad effects, respectively, easily become the basis for confusing and misleading arguments and conclusions. Father Gemelli quotes Prümmer [2] as stating that the first condition necessary to make lawful an action which is productive of both good and bad effects is, " si bonus effectus est immediatus," and as rejecting the formula offered by some theologians, " ut bonus effectus est aeque immediatus ac malus effectus," because " immediatus effectus est finis operis " and because " finis operis est unus et

[1] See especially pages 523 and 609 of *N.R.T.*

[2] *Manuale Theologiae Moralis*, pp. 44, 45.

non duplex."[3] Although Father Gemelli says that he is referring to the 1923 edition of Prümmer's work, the words "finis operis, et cetera" and two other sentences which Father Gemelli quotes, do not occur in the text of the 1923 edition which is before me. My copy contains no reference to "finis operis". Possibly Father Gemelli is quoting from an earlier edition.

At any rate, if Prümmer ever wrote these sentences, he had a good reason for reconsidering and omitting them; for the "finis operis", the "objectum actus," is not an *effect* of the action. It is the action itself. In the case that we are considering, the "finis operis" is the expulsion of the womb; the safety of the mother and the death of the foetus are both effects. After all, a line must be drawn somewhere between an act and its effects, between the expulsion of a womb and the effects of that expulsion. The action is "specified by the finis operis," namely, expulsion; the effects lie beyond and are both morally and physically distinct from the action and the "finis operis". Prümmer's substitution of "per accidens" for "aeque immediate" as describing the production of the evil effect is neither happy nor satisfactory. Father Gemelli rejects it because in his opinion the foetus is in the womb *per se* and not *per accidens*. On the other hand, Vermeersch declares that the presence of the foetus in the womb and its expulsion with a cancerous womb are phenomena to which the phrase "per accidens" can properly be applied.

In view of the confusion and disputing about words which are frequently occasioned by the use of the various phrases and formulas which we have been considering, we repeat that the simple, unequivocal language for describing the relation between the good and bad effects in the "rule of double effect," is this: "The bad effect must not become or be used as the efficient cause of the good effect." When Vermeersch says that the bad effect must not become the "means to the good effect," he is obviously using that term as synonymous with "efficient cause". We prefer the latter expression because it is easily understood, is precise, requires no explanation or amplification and infallibly distinguishes between an evil effect which is an unavoidable condition and an evil effect which produces the good effect and, therefore, may not itself be brought about.

[3] *N.R.T.*, pp. 523, 524.

MEANING OF "UNIVERSA PROLES" IN CANON 1061 § 1 n. 2.

Qu. Since no definite decision has been given to the meaning of the words "de universa prole catholica tantum baptizanda et educanda", in canon 1061 § 1, n. 2, can a priest feel bound in conscience to exact promises to cover the Catholic upbringing of children born to the non-Catholic party in a previous marriage to another non-Catholic, when the widowed non-Catholic wants to contract another marriage with a Catholic?

Resp. In the recent quinquennial faculties given to our Bishops, the power of granting a *sanatio in radice* for mixed marriages contracted outside the Church is limited—among other points—to the case where the non-Catholic is not opposed to the Catholic baptism and education of all the offspring, both born and to be born ("prolis utriusque sexus natae vel nascituraе"). This is usually understood to refer only to the children born to the Catholic and non-Catholic whose marriage is to be revalidated. Gasparri[1] applies this explanation to the guarantees for every dispensation for mixed marriages, even if no marriage had previously been attempted.

No author that has come to our notice extends the *cautiones* to children born to the non-Catholic party by a previous marriage to another non-Catholic. This is quite a different matter from that provided for in canon 1061 § 1, n. 2. The Catholic party is obliged by divine law to have all his children baptized and brought up in the Catholic religion and the Church insists on safeguarding the fulfilment of this obligation by demanding the guarantees from both parties. But the Catholic has no such obligation as regards the children of his non-Catholic party by another non-Catholic.[2] Therefore there is no obligation on the part of the priest to require such guarantees in regard to children born of two non-Catholics. Neither does there appear any justification for such a demand, even if the pastor were inclined to make it.

[1] *De Matrimonio*, (ed. nova, Vatican City: Vatican Press, 1932), n. 451.
[2] Cf. can. 750.

PRAYERS AT COMMUNION OF SICK IN LATIN.

Qu. May the *Confiteor* be recited in English at the Communion of the sick, if the patient or an attendant can recite it in English but not in Latin? May the priest then recite the *Domine non sum dignus* also in English?

Resp. The Communion of the sick is a liturgical function and the prayers prescribed in the Ritual must be said in Latin. If the patient desires to recite the prayers silently for his own devotion in English, there can be no objection to his doing so; but this recitation in the vernacular may not replace the recitation of the prayers prescribed in Latin.[1]

COMMUNION FOR MONTHLY PLENARY INDULGENCES.

Qu. There are numerous plenary indulgences granted for the recitation of certain prayers every day for a month.

1. When may or must the Communion, required as a condition, be received?

2. If one recites so many of these prayers every day that he can gain thirty plenary indulgences under that condition, could he from the first day of the month receive Communion and fulfil the special conditions for one plenary indulgence, and so forth every day of the month?

Resp. Whenever several works are prescribed for gaining indulgences, it is not necessary to follow any set sequence of the various works,[1] provided (1) that every one of the pious works is actually performed, and (2) that one be in the state of grace when he performs the last of the works.[2] It is for this last reason that it is usually suggested that the prescribed confession and Communion be made last, though this is not strictly necessary.

1. Therefore it seems that one may go to confession[3] and

[1] "5. An consuetudo dicendi in Communione fidelium: *Ecce Agnus Dei* et *Domine non sum dignus* idiomate vulgari sit sustinenda; an potius eliminanda, utpote contraria Rituali et Missali Romano?

"Ad 5. 'Consuetudinem esse eliminandam.'"—S. C. Rituum, 23 May, 1835 —*Decreta Authentica S.R.C.*, n. 2725. While this declaration does not expressly refer to the Communion of the sick, the same rule applies.

[1] Beringer, *Die Ablässe*, (15. ed., Paderborn: Schöningh, 1921), I, n. 93.

[2] Canon 925 § 1.

[3] Fortnightly confession would suffice for gaining such indulgences; and

receive Holy Communion any day during the month or also any day within an octave of completing the month during which the respective ejaculation was recited daily.[4]

Of course the plenary indulgence would in this supposition be gained actually only when the last of the respective works was properly performed.

2. It would accordingly suffice to follow the course outlined in the second question. But that course would not be necessary. One confession and one Communion will suffice to fulfil this requirement for all those plenary indulgences,[5] but all other conditions, for example, visits to a church, prayers according to the intention of the Pope, etc., would have to be repeated as often as the total number of indulgences requires them.

MISSA PRO POPULO BY MISSIONARIES.

Qu. We are two priests working among some Indians in a Canadian diocese. The total contributions of our generous, but poor neophytes, does not nearly suffice to defray the actual expenses for the upkeep of the mission church, not to mention support of the missionaries and other necessary outlays. Heretofore we did not consider ourselves obliged to apply the *Missa pro populo.* But the recent rescript issued by the Congregation of the Council to the Bishop of Prince Albert and Saskatoon [1] seems to point to our being bound by that law. May we therefore ask:

1. Are we missionaries obliged to apply Mass for our flock?
2. If so, on what days?
3. What about the Masses omitted in the past because we did not consider ourselves obliged to apply them?

Resp. It is refreshing to have an occasional glimpse into the life of our self-sacrificing missionaries who are eager to fulfil every law of the Church, even when it means a new sacrifice.

1. Missionaries who are placed in exclusive charge of a

those who go to Holy Communion daily or nearly so, would not have to go to confession as a condition for gaining the indulgence, so long as they did not commit a mortal sin. Cf. canon 931 § 1.

[4] Canon 931 § 2. Beringer, *op. cit.,* I, n. 110.

[5] Canon 933; Beringer, *op. cit.,* I, n. 86, 108-109.

[1] 5 March, 1932—*Acta Ap. Sedis,* XXV (1933), 436-438; ECCLESIASTICAL REVIEW, LXXXIX (1933), 613-616.

mission so that they exercise parochial rights over their newly converted flock, after the manner of a pastor in a cononically erected parish, are bound to apply a Mass for their flock on the specified days. This is apparent from the rescript to which our inquirer refers, as also from canon 466 § 1, which imposes this obligation on the *quasi-parochus,* who is in charge of the counterpart of a canonical parish in a vicariate or prefecture apostolic (canon 216 § 3).

2. At first sight one might be tempted to say that such a missionary is obliged to apply the *Missa pro populo* only on the days enumerated in canon 306 (cf. canon 466 § 1). However, he cannot properly be styled *quasi-parochus,* although his is actually a mission among pagans; for it is not a division of a vicariate or prefecture apostolic (canon 216 § 3). Since it is a section of a diocese under the common law of the Church, it is rather a canonical parish (*ibidem*) and the missionary is a pastor in the true sense and is bound to apply the *Missa pro populo* on all Sundays and holydays of obligation including those that have been suppressed (canons 466 § 1 and 339). However, such a missionary may be relieved from this obligation by his local Ordinary, who no doubt already possesses the necessary indult to reduce this obligation to a minimum or will obtain the reduction from the Apostolic Delegate.

3. A petition addressed either to the Congregation of the Council through the local Ordinary or to the Sacred Penitentiary through the confessor will easily obtain a condonation of all past omissions.

DANCES AT PARTIES FOR BENEFIT OF CHURCHES.

Qu. 1. Sometimes at a garden party held for the benefit of the parish a dance is given by a parish society in the parish hall and the proceeds are donated to the parish. Is this practice in conflict with the prohibition of dances under church auspices?

2. Are only public dances held for that purpose forbidden, or are also dances held in *private* houses, but promoted in order to obtain funds for the church? Can you indicate the canons of the Code to substantiate your answer?

Resp. In both the decree of 31 March, 1916,[1] and the

[1] *Acta Ap. Sedis,* VIII (1916), 147-148; ECCLESIASTICAL REVIEW, LXV (1916), 69-70.

declaration to this decree, 10 December, 1917,[2] the Sacred Consistorial Congregation forbids priests "to promote and foster" (*promoveant et foveant*) dances. It is difficult to see how such dances may be held in parish property unless the pastor gives his approval. One must therefore conclude that the practice described above is forbidden. It is true, by questionable casuistry, some priest may cleverly (?) direct the society to proceed "without his knowledge and consent" to hold the dances; and thus pretend that he is not at fault. Actually, however, this ruse deceives no one, not even himself.

2. The two documents referred to above make no distinction as to the place where the proscribed dances for the benefit of a church are to be held. Without distinction they forbid all priests to promote them and even to be present at them, if the dances are arranged for by lay persons.

There is no explicit mention of this prohibition in the Code. At most (if the words "Ad decimarum et primitiarum solutionem" may be taken in a wide sense), it would come under canon 1502, since the condemned practice is anything but a "laudable" custom. Directly, however, this prohibition derives from the above decree of the Consistorial Congregation. Although it antedates the Code, it nevertheless remains in force as a particular rule not contrary to the canons. It is moreover not a mere disciplinary regulation, but rather a condemnation and proscription of a practice that is an abuse.

The decree and the declaration in regard to it were issued only for the United States and Canada. As such they do not oblige other countries.

CONDITIONAL ACT OF CONTRITION FOR DOUBTFUL SINS.

Qu. Some authors hold that, if a person is in doubt whether he has committed a mortal sin or not, he should make an act of perfect contrition for past sins and at the same time these doubtful sins would be included and wiped away. Would it not be enough to formulate an act of contrition like this: "Oh my God, if I have offended Thee grievously, I am heartily sorry" etc., disregarding the sins of the past life?

Resp. Undoubtedly such a conditional act of contrition for

[2] *Acta Ap. Sedis*, X (1918), 17; ECCLESIASTICAL REVIEW, (1918), 537.

a doubtful grievous sin will suffice to restore the state of grace if it was really lost by what was actually a grievous, though it appears to be only a doubtful sin—provided of course the person was not guilty of any other grievous sin not yet forgiven. But why complicate matters by such a distinction? Too easily some people may come to the false notion that every act of contrition must explicitly refer to each individual sin. It is better simply to advise that if, for instance, one who wants to go to Communion doubts whether or not he has committed a greivous sin since his last confession, he make an act of contrition. In certain circumstances an exception might be made, when for instance all scrupulosity is out of the question and there is a special reason to make such an act of contrition for the one doubtful sin in order in this manner to renew and strengthen a firm purpose of amendment of some particular sin. But even here discretion is necessary; for in this case too it is possible that the penitent may be unwittingly led toward scrupulosity.

ACT OF CONSECRATION OF MARY'S OWN.

Qu. I am frequently asked whether those who consecrate themselves entirely to the dear Mother of God, after the fashion described in the little treatise entitled *The Path of Mary,* are free to make petitions according to their own minds. According to my interpretation of the "Act of Consecration of Mary's Own," one consecrating oneself makes an absolute renunciation of not only the satisfactory part but even of the impetratory part of all his good works, past, present and future. Examples of my interpretation: (1) a priest not celebrating the Holy Mass in satisfaction of a stipend must celebrate according to the mind of the Mother of God, and (2) a priest member of the *Unio Cleri pro Missionibus* following in the "Path of Mary" cannot pray specifically for the missions.

The following is the Act of Consecration to which reference is made:

Daily Act of Consecration of Mary's Own

My Queen! My Mother! I give thee all myself; and to show my devotion to thee, I consecrate to thee this day my eyes, my ears, my mouth, my heart, myself, wholly and without reserve.

I give myself entirely to Jesus, by delivering and consecrating to thee my body and soul, my goods, both exterior and interior, and even the impetratory and satisfactory part of all my good actions, past, present and future, leaving to thee the entire and full right of disposal of me, without exception, and according to thy good pleasure, and to the greater glory of God in time and eternity.

My Queen! My Mother! I give thee all myself; and to show my devotion to thee, I consecrate to thee this day my eyes, ears, mouth, heart, myself wholly and without reserve.

Resp. The "Act of Consecration of Mary's Own," which is recommended in the little treatise entitled *The Path of Mary,* is quite similar to the "Act of Entire Consecration to Mary" composed by Blessed Grignon de Montfort in his admirable book, *True Devotion to the Blessed Virgin,* and clearly explained by Father Tanquerey in his *Spiritual Life,* pp. 91 and 92, Nos. 171 and 172.

By this act, says Tanquerey, "we allow Mary to dispose of and to apply freely the satisfactory value of our acts and the indulgences we may gain". Moreover, "we cede to her even the impetratory value of our acts, that is to say, of our prayers and good actions, in so far as they are endowed with such efficacy." "Once we have made this act of consecration, we can no longer without her permission dispose of the goods we have made over to her. However, we may and at times we should beg her favor according to her good pleasure those to whom we are bound by special ties and to whom we are under special obligation."

A priest who has consecrated himself to Mary in this special manner may therefore request the Blessed Virgin to apply to a certain person or object the Masses which he does not celebrate in satisfaction of a stipend.

Likewise, this priest may pray specifically for the missions, as required by the rule of the *Unio Cleri pro Missionibus;* that is to say, he begs the Blessed Mother to apply to missions the impetratory value of his prayers and good deeds.

PRIVILEGED MASS OF CONFRATERNITY OF BLESSED SACRAMENT.

Qu. One of the privileges where the Confraternity of the Blessed Sacrament is established, is to have a Mass of the Holy Eucharist

with Exposition on the third Sunday of the month. May this Mass be said on all Sundays, even in Advent and Lent?

What Commemorations are to be made in this Mass of the Blessed Sacrament?

Resp. The Mass of the Blessed Sacrament with Exposition, which is allowed on the third Sunday of each month in all churches where the Confraternity of the Blessed Sacrament is established, must be regarded liturgically like a " Missa Votiva Solemnis pro re gravi ". Therefore, according to the Rubricae Generales of the Missal (*Additiones et Variationes,* II, 3), it is prohibited on Sundays of the first class, viz.: the First Sunday in Advent, all the Sundays in Lent, Passion and Palm Sunday, the First Sunday after Easter and Trinity Sunday; likewise on all feasts of the first class.

A solemn votive Mass (and therefore the Mass of the Blessed Sacrament which we are now considering) admits only the commemoration of a feast of the second class, of a Sunday, of a major ferial day, or of a privileged octave (*Additiones et Variationes,* V, 3).

IS THE ALTAR RAIL PRESCRIBED?

Qu. Is the altar railing, as commonly understood, of obligation in our churches, or may this railing be dispensed with at the wish of the pastor?

Resp. The altar or Communion rail has never been prescribed by any rubric or decree; but it makes it more easy for the communicants to kneel down in a line, and it facilitates also the use of the Communion cloth, which is prescribed by the rubrics of the Missal, of the Ritual and of the *Caeremoniale Episcoporum,* as well as in the instruction of the Sacred Congregation of the Discipline of the Sacraments, 26 March, 1925 (III, 5): " In the distribution of Holy Communion to the faithful there should be used, besides the white linen cloth spread before the communicants, a plate made of silver or of other gold-plated metal. . . ." It is convenient to have this Communion cloth hanging on the altar rail.

Criticisms and Notes

A MAP OF LIFE. By F. J. Sheed. Sheed and Ward, Inc., New York. 1933. Pp. 144.

Mr. F. J. Sheed, President of Sheed and Ward, is serving the Catholic cause not only by publishing much-needed Catholic books in an attractive format and at a reasonable price, but also by writing a new kind of apologetic literature. His *Map of Life* applies concretely the theory he explained so clearly in his article published in the January, 1934, issue of THE ECCLESIASTICAL REVIEW: the need of the hour is not controversy, but exposition. "Maps do not prove but only state" (p. 8), and in keeping with this rule, *A Map of Life* does not attempt to argue the truth but merely states the Catholic doctrine and shows its significance in our dealings with God and man. The author has well realized what he proposed for himself as the threefold object of his presentation of the great Catholic dogmas: 1) to show them in organic relation to one another; 2) to show the totality of Catholic teaching in its bearing upon the meaning of life; 3) to set down the elements of those dogmas—especially of the Supernatural Life and the Mystical Body—some knowledge of which is necessary for the understanding of the teaching and policies of the Church.

The present book might properly be called "a relief map," for it concentrates on the heights of the Trinity, Incarnation, and the Supernatural Life, and on the depths of suffering, sin, and hell. It shows the relation of one truth to another, and demonstrates conclusively that we can realize the infinite depth of sin only by remembering the infinite height of God.

Three of the chapters of *A Map of Life* were given as lectures in the School of Apologetics at the Summer School of the Catholic University, July, 1933. It may not be amiss to mention that the auditorium was crowded for every lecture, by priests, teaching brothers, sisters, and lay people. Mr. Sheed's clear, direct, concrete style, abounding in short crisp sentences—the result of many years' experience as Catholic Guild speaker in England—appeals to our American audience. Hence priests would do well to study the present book for the purpose of learning how to present the ancient truths in a way that will compel the attention of a twentieth century audience, whether Catholic or non-Catholic. The low price of the volume should encourage a wide distribution of the book among both Catholics and non-Catholics. Catholic study clubs may well follow the example of both English and American Evidence Guilds by adopting

A Map of Life along with Maisie Ward's *Catholic Evidence Training Outlines* (Sheed and Ward) as basic texts. Both books should appeal also to all teachers of religion, especially in our high schools and colleges.

NEW PSYCHOLOGY AND OLD RELIGION: Edward F. Murphy, S.S.J., Ph.D. Foreword by Fulton J. Sheen, Ph.D. Benziger Brothers, New York. 1933. Pp. xiii + 265.

When we see old religion contrasted with new psychology we are apt to think that an attack is being made upon modern science. In this work the very opposite is the case. Dr. Murphy in a very striking style brings out the many points in which the discoveries of modern psychology are found to be nothing more than the natural attainment of truths long known and put to use in old religion. To say Dr. Murphy writes in paradoxes would be putting it mildly; his work is replete with the most astonishing conceptions and startling images. In these days when people have to be shocked in order to be awakened, it is probably necessary even in the teaching of religion to make use of the exotic and the bizarre. The purpose of this work, therefore, must be its justification for the astounding number of sudden contrasts and literary aberrations.

This purpose is expressed by Dr. Sheen, who has written the Foreword, in the following terms: "Dr. Murphy in this work aims to help them discover themselves by discovering something outside themselves. . . . The great merit of such a work is that it ties up Psychology, not with irreligion, but with religion." Further, this type of Psychology will help one to save his soul.

The titles to some of the chapters may give an indication of the direction followed by the author, and perhaps lead to a more extensive reading of the text. In Chapter I we read: "We Grow Down —Religion Draws Us Up". Dr. Watson tells us that we have the nest habit carried up from baby days of reaching for life's tinsel and bright light and ignoring what is truly worth while. We children grasp whatever is easily and showily at hand, with no bother about true values, and spend little or no effort to secure something better. But much more than Psychology does Religion condemn all such nonsense. Religion teaches men to see through the falsities of time to the realities of eternity.

A large number of our favorite faults are paraded before us as we skim through chapter and paragraph. The loud laugh and the empty mind are recalled from the Deserted Village and made to do duty because in point of humor the New Psychology has little to teach Christians and nothing to offer Saints. Religion removes our smoked

glasses and tells us the truth when we lie to ourselves. When we are morbidly exalted or depressed, Religion brings us back to normality. In our fears Religion gives us calm; and when we are troubled by doubts and want to know why and whither, Religion answers. However, not everything in modern Psychology is deserving of praise. When Psychology objects to commandments written on tables of stone, she is too short-sighted to be psychological. The Ten Commandments were graven on the heart before the prophet expressed them in the material way: Sinai revealed man to himself.

Many a preacher looking for a new figure of speech to give pungency to his sermon might delve into this work with profit. One can well believe that at Xavier College, New Orleans, when Fr. Murphy gives a lecture, no special stimulus is needed to keep the class awake. One is astonished at the number and variety of his references. He passes readily from scientific Psychology to Philosophy and Theology and further he carries us with speed through the various forms of Literature, History, Poetry and even the Modern Novel. Nothing seems to have escaped his ken. To those persons who have been accustomed to find only danger in Modern Psychology, we would recommend a reading of this book. On the other hand, to those who believe that Psychology, crudely natural, holds the solution for social and individual problems, we would recommend that it be carefully studied.

A ROMANCE OF LADY POVERTY. The History of the Province of St. Joseph of the Capuchin Order in the United States. By the Rev. Celestine N. Bittle, O.M.Cap. Bruce Co., New York, Milwaukee and Chicago. Pp. xxiv + 600.

Under this captivating title the author describes the establishment and development of the first Capuchin Franciscan Province in the United States. The story has all the interest and charm of the unusual. Undoubtedly, the most striking fact in the history is that the Province was established not by Capuchin friars from abroad, but by two diocesan priests, Gregory Maas and John Frey, both of Switzerland. Having met at the University of Freiburg in Breisgau in 1850, the two students discovered their ideal was the same—to enter the priesthood and consecrate their lives to the missions. Accordingly, they were ordained priests in 1851 and 1854 respectively. Neither of the two priests had reached any definite conclusion as to choice of lifework when in 1855 the chance conversation with a young Swiss returned recently from America led Father Frey to conceive the idea of transplanting the Capuchin Order—the most popular Order in Switzerland—to America. Informed of the project, Father Haas was in full agreement.

The two priests now began a series of negotiations with Church officials, mainly of the Capuchin Order in Switzerland. But the latter, regarding the plan as fantastic, gave little or no encouragement. Nevertheless, there was no determined opposition and the two zealous priests finally succeeded in obtaining a letter of recommendation from the Bishop of St. Gaul to Bishop John Martin Henni, a native of Switzerland but then Bishop of the diocese of Milwaukee in America. Embarking at Antwerp, 16 July, 1856, they arrived in New York on 2 September, the voyage lasting forty-eight days. More than a week was spent on the immigrant train from New York to Milwaukee. But for all the hardships endured on such a long journey they received ample compensation on their arrival at Milwaukee. Bishop Henni received them cordially and assigned them a parish on the summit of a hill near Fond du Lac, Wisconsin. Later the two founders named the hill Mount Calvary, the name it still bears. Gregory Haas returned to Switzerland mainly to obtain a Capuchin Father to act as superior and novicemaster, while Father Frey remained at Calvary to begin the building of a friary. Armed with Rome's permission to make the novitiate at Mount Calvary, Father Haas returned there on 19 November, 1857. With him were Father Anthony Gachet, O.M.Cap., designated superior and master of novices, and Vincent Engel, O.M.Cap., lay brother. On 2 December, the two secular priests received the Capuchin habit, Father Haas taking the name of Francis and Father Frey the name of Bonaventure. Trials and hardships, both internal and external, came a-plenty, but the little family of friars persevered and increased both by native and foreign vocations, so that by 1882 it numbered seventy friars and was erected into a canonical Province of the Order.

In August, 1932, the Province commemorated the seventy-fifth anniversary of its foundation. At that time it numbered two hundred and ninety-three members, one hundred and nineteen of whom are priests assigned to fifteen friaries erected in Milwaukee, Marathon and Appleton, all in Wisconsin, Huntington, Ind., Yonkers, N. Y., Detroit, Brooklyn and New York. To most of these friaries parishes are attached, three of which are in New York City. At Mount Calvary, the cradle of the Province, a preparatory seminary is conducted for diocesan clergy, and at Garrison, N. Y., a second seminary has been established to recruit members for the Order. In Milwaukee the Fathers do splendid work in the St. Benedict the Moor Mission, where they have a parish and boarding school for the colored. In Montana missionary work is carried on among the Northern Cheyenne Indians. The Province has also sent priests to the foreign missions of China and India.

The author has acquitted himself well of his task. Following the

true historical method, he has drawn heavily on unpublished sources consisting mainly of letters and the friary chronicles. But aside from local chronicles, archives abroad were also drawn upon, notably those of the Capuchin Curia in Rome, the Capuchin Archives of Switzerland and the Archives of the Ludwig-Missionsverein in Munich. Errors that had crept into local records, were duly noted and corrected by the author. The letters often reveal interesting side-lights both on the founders and on other distinguished churchmen of the times. Note the following from a letter written by Father Francis from Rome, 5 May, 1890: "Dr. Messmer is here. With great thoroughness he is rifling the second-hand bookshops and is preparing a valuable library for the new University in Washington. If it were only possible for our Province to found a hospice in the neighborhood of the University, where a few of our clerics could be sent annually! These could then without danger attend the University in the habits. We talked about this yesterday, and Dr. Messmer believes that we could still easily purchase a piece of ground there at the present time, because the neighborhood is not yet built up." This noble ambition of the far-seeing founder was never realized in the Province. The present Capuchin College in Washington was established twenty-seven years later by the younger Capuchin Province of Pennsylvania.

The story with its many-sided characters grouped about the two saintly heroic founders, together with the intriguing style of the author, conspire to warrant the well-chosen title—*A Romance of Lady Poverty*. Here, in truth, we have history with exactness of science and charm of style. To quote from the Preface by Dr. Peter Guilday: "To these qualities of the true historical method, Father Bittle has added another peculiarly his own, that of a charming and persuasive style which takes the book altogether out of the general category of this field of religious literature. He has undoubtedly written the final chronicle of his Province and has made a distinct and scholarly addition to the ever-increasing library of our American Catholic history."

THE NEW INTERPRETATION OF THE MASS. By the Rev. Henry Borgmann, C.SS.R. John Murphy Co., Baltimore. 1933. Pp. 258.

This book is no dogmatic treatise but rather an attempt to explain the Mass liturgically. The author divides the Mass into five major units, namely, the Mass of Catechumens, Offertory, Consecration, Communion, and Conclusion. Each of these major units consists of unequal minor units according to the number of prayers ending with the word Amen. The minor units or prayers are given and explained,

then compared with other subjects consisting of a corresponding number. Thus in the major unit of the Offertory, from the *Suscipe* to the Secret including the *Incensum* in solemn Masses, there are nine prayers ending with Amen. These nine prayers are compared with the nine choirs of Angels, the nine grades of Holy Orders and the nine Sunday Mass Propers from Septuagesima to Palm Sunday. In like manner the other four major units are treated.

The book is an ingenious piece of work and represents a lifetime of thought and study. But since practically all the associations or comparisons between the various Principals and Collaterals are hardly more than arbitrary, we wonder whether such a new interpretation of the Mass, not historical or true to fact, is a really helpful or scientific contribution on the subject. Moreover, the following statement (on page 14) seems to overstress the power of the liturgy: "The lost children of God need but to see the beauty of the House of God, and they will return to the Faith of their Fathers. The beauty of the House of God is in the liturgy, and the church year is a part of this liturgy, brought home to the people in their daily life."

SISTERS, SERVANTS OF THE IMMACULATE HEART OF MARY, 1845-1934. By Sister Maria Alma, C.I.M., Immaculata, Pa. Introduction by His Eminence Cardinal Dougherty. Dolphin Press: Philadelphia. 1934. Pp. xviii+347, 39 illustrations.

The rapidly growing literature concerning religious communities is enriched by another volume, *Sisters, Servants of the Immaculate Heart,* by Sister Maria Alma. It describes the beginning in Monroe, Michigan, in 1845, of this now widely known community, of the establishment in Pennsylvania of a new foundation in 1854, of the separation of the missions in the Keystone State from the mother house at Monroe, and finally the organization of two independent mother houses, one in the Diocese of Philadelphia, the other in the Diocese of Scranton.

The founder of the community was the Rev. Louis Florent Gillet, a Belgian by birth and a member of the Congregation of the Most Holy Redeemer. Father Gillet came to Michigan as a missionary in 1843. He took charge of a parish at Monroe. Alive to the need of religious instruction for the children, he endeavored to secure religious teachers in Europe. He failed. He then determined to found a religious community. A few young women offered themselves as the first members. Thus in 1845 the Congregation of the Sisters of Providence became a fact. After a few years Father Gillet left Monroe, went to Europe and eventually entered the Cistercian Order. In the meantime the young community assumed a new name

—Sisters, Servants of the Immaculate Heart of Mary. This change explains why Father Gillet lost trace of the community he founded and the community lost trace of him.

He did indeed make inquiry about the little band that had responded to his appeal in 1845. He heard nothing and concluded that his well-intentioned endeavor had come to naught. Such was not the case. Through a series of providential happenings it was learned in 1889 that Father Gillet was still alive and living in a Cistercian monastery in France. A special chapter, "The Re-union", tells the story of the saintly founder, who discovered to his amazement that "the tiny seed, planted in 1845, in the unpromising soil of pioneer Michigan, had become a great tree whose branches, spread in three separate sections of our country, sheltered within their shadow thousands of souls under the care of the Sisters, Servants of the Immaculate Heart of Mary".

Everywhere in this narrative are evidences of painstaking and persistent research. That it was possible to obtain so many original documents, or authentic copies, is amazing, especially as carelessness and neglect in preserving invaluable historical data are, alas! only too common. The determination to verify statements by trustworthy proofs has been richly rewarded. The printer has done his part admirably in this handsome volume.

LE DOGME DE LA REDEMPTION APRES SAINT AUGUSTIN. Par Jean Riviere, Docteur en Théologie, Professeur à l'Université de Strasbourg. J. Gabalda & Fils, Paris. 1930. Pp. v + 303.

LE DOGME DE LA REDEMPTION CHEZ SAINT AUGUSTIN. Par Jean Riviere, Docteur en Théologie, Professeur à l'Université de Strasbourg. Troisième édition complèment refondue et considérablement augmentée. J. Gabalda & Cie, Paris. 1933. Pp. xiii + 423.

It is regrettable that these two extremely valuable volumes were written in an atmosphere of bitter polemics. An unusual situation confronted the author. For some time attacks had been published against certain fundamental doctrines of the Church in such a manner as to rouse suspicions regarding the good faith of the writer and publishers. When the authorship was traced to its source it was seen that one man had been making use of various pseudonyms. His conduct merited the severest condemnation not only from the ecclesiastical authorities but from scholars. The incident was as discreditable to those who had aided the man in his fraud as it was painful

to those who were compelled to denounce his wrongdoing. Painful as all the circumstances were, they have very little interest for the general run of readers, and, though the author's indignation with such methods is justifiable, the readers of these volumes will find little interest in following his account of the affair, and will not understand his constant references to the writings of a man whose conduct has brought him into the utmost discredit. Nobody will question his right to unmask a hypocrite and charlatan, but at the same time many will regret that he saw fit to devote so much attention to a controversy about which there can be no division of opinion.

Few subjects of a theological character make a stronger appeal in countries where Protestantism prevails than the history of the Doctrine of the Atonement. It is earnestly to be hoped that the author will find it possible to revise these volumes and that he will in a new edition make them solely historical and constructive.

GOD'S TRUTH. The Answer to Laicism. By the Rev. Eugene F. Marshall, D.D., Norwood, Massachusetts: Plimpton Press. Pp. xxii + 557.

This work, treating the three theological virtues and the first three articles of the Apostles' Creed, is the first of a series of books offering "a comprehensive explanation of the truths of faith". It is, for the greater part, a translation of a work that appeared over forty years ago in the French periodical, *L'Ami du Clergé*.

Few readers will agree that the "simple manner" of this work (the matter is presented in catechetical form) "will absorb the attention of Catholic-minded men and women", as the author hopes. The author likewise implies that the work might be used "in high schools, as a text book, and as a reference book for the training of those who teach religion in our day schools and Sunday schools." Whether or not the author is justified in either his hopes or his implication we leave the reader to judge from such facts as the omission of all references to evolution, among two hundred and ten questions on the Creation, Nature, Common Origin and Antiquity of Man. And if the reader would judge whether the work will enable Catholic-minded men and women to "explain intelligently what they believe" he need refer only to the inane questions 44-50 on pages 338-339. They are as follows:

44. Did a monkey invent the printing press?
No, a monkey did not invent the printing press.
45. Did a cat invent gun powder?
No, a cat did not invent gun powder.
46. Did a horse invent the steamboat?
No, a horse did not invent the steamboat.

47. Did a fox discover electricity?
No, a fox did not discover electricity.
48. Was it a dog or an elephant that invented the telegraph, telephone or phonograph?
No, it was not a dog or an elephant that invented the telegraph, telephone or phonograph.
49. Who produced all inventions?
Men produced all inventions.
50. What have animals invented?
Animals have invented absolutely nothing.

THE SECULAR ACTIVITIES OF THE GERMAN EPISCOPATE, 919-1024. By Edgar Nathaniel Johnson. Lincoln, Nebraska, published by the University. 1932. Pp. 278.

It may seriously be questioned whether it is possible to isolate for special study any particular era in the history of the medieval Church. No situation or crisis was of such a kind that it could be entirely cut off from its historical antecedents. This is especially true when questions of Church and state are involved. The Church in its dealings with rulers and states had formulated principles and devised a technique which, if not always explicitly declared, were nevertheless the continuing basis for its activities. Had the author of this splendid study made himself more familiar with the legal phases of the question, as explained for instance by Carlyle, he might have been less positive in some of his statements. It is an exaggeration to say of Charlemagne that "he inherited the long-established institution of a state-controlled church as well as a definite reform program". Charlemagne assumed an attitude toward the Church entirely different from that of his immediate predecessors, and it is doing him an injustice to say that his reform program was not all his own, or rather that, in his measures of reform, he was not putting into effect the suggestions that were made to him by his episcopal advisers. For the greater part his reformatory activities took the direction of giving civil sanction to enactments that had been drawn up by the councils and synods of the Church.

Such criticism as this, however, must not be understood as in any sense derogatory to the unquestionably great merit of this thoroughly searching piece of investigation. It was a heroic undertaking to attempt to find order or consistency in a period which Bryce described as "the nadir of order and civilization". The collapse of the Carolingian monarchy in the ninth century revealed how flimsy the bonds were with which Charles the Great had knit together his vast empire. One lifetime was not enough to eradicate traditional and tribal animosities, nor to bring about that state of homogeneity in

thought and purpose on which any successful political fabric must necessarily rest. The problems which Otto I faced in attempting to establish Deutschland über Alles, to substitute a national monarchy for a disorganized federation of suspicious and hostile Duchies, is a measure of the extent to which Charlemagne had failed to consolidate his empire. Though the episcopal office had been subject to the same destructive forces which had robbed the secular government of its efficiency, its remarkable activity and vitality in the time of Otto is clear evidence that it did not derive its authority from the state.

Professor Johnson is to be congratulated for having accomplished a really exceptional piece of investigation, and for having made such discriminating use of his materials. His gracious acknowledgment of his indebtedness to others need not have led him to endorse the statement that "one cannot draw a sharp line between Church councils and *placita*". All his readers will join in the wish that "time and opportunity will permit him to continue this study", and that he may be induced to base his further researches on a more thorough investigation of the canonical prescriptions, which embodied the Gelasiam theories, and which were at the same time, a guide for the bishops and a curb on their political ambitions, and their activities in the affairs of secular government.

THE MORAL LAW. By the Most Rev. John J. Swint, D.D., Bishop of Wheeling. The Bruce Publishing Co., Milwaukee. 1934. Pp. 55.

Though the subtitle of the present booklet describes its contents as "six Lenten sermons on the Commandments of God," the reviewer would urge his clerical brethren to study *The Moral Law* as a collection of models for sermons to be preached not only during Lent but throughout the year. Bishop Swint is right in saying in his introduction that "the Christian moral law, as never before since Christianity began, is now under attack". Hence the urgent duty of the priest to preach on the Commandments which contain most of the moral law. At the present time our Catholic people need instruction in the essentials of morality. And the present booklet will teach the priest both *what* to say and *how* to say it. Bishop Swint's many years of experience in addressing both Catholic and non-Catholic audiences have trained him in the rare art of giving much needed information in a way that will be understood by the man in the street. His short, crisp sentences, the concrete illustrations given in the vocabulary of the average American, the absence of rhetoric (rightly decried by Cardinal Manning as the bane of the pulpit)—all these features

combine to make the sermons a model for every Catholic preacher. We should like to draw attention particularly to the admirable way in which Bishop Swint deals with such acute problems as the motion picture, company keeping, birth control, perjury, spiritism, and justice on the part of employer and employee. The low price of the booklet should encourage wide distribution of *The Moral Law* among Catholics as well as non-Catholics.

ROMANESQUE ARCHITECTURE. Catholic Library of Religious Knowledge. XXXIII. By F. Eygun. Translated by the Rev. B. V. Miller. With 10 Plates from Drawings by the Author. Sands & Co., London; B. Herder Book Co., St. Louis, Mo.

We must employ a name for the style or styles that preceded the Gothic—anticipated it to a considerable degree and linked it with the Graeco-Roman and the Byzantine. When we designate it as Romanesque we perhaps lay too great stress upon its dependence upon classical precedent, particularly the Roman; and the name suggests neither the remote antiquity of the architectural expression of the tenth, eleventh and twelfth centuries nor its identity as an outstanding achievement responsive to the civilization of the times and now judged to be singularly replete with a high order of artistic merit.

One may study the Romanesque by regions, by centuries, or more scientifically perhaps by an analysis of its experimentation, often culminating in success, with the Church form and the details of its elements—the roof, the vault, the tower and the column and its components. This attitude appears to have become the author's objective and it is presented rather clearly in spite of the lack of a sufficient number of drawings. Those that are introduced serve very well, but they are too few in number. Of course it must be kept in mind that the work is intended to be introductory, as it treats solely of architecture. Supplementary information must be derived from a host of other works. Indeed the Romanesque should be so studied, for while it is stone architecture to a large degree, its decorative forms are frequently found to best advantage in the fields of illumination, church furniture, the beginnings of the great period of artistic craftsmanship.

Our so-called modern of to-day has much of the Romanesque in it—the use of "Lombard bands," flat strips of ornament—gray in value against the white of bare wall. Sculptured figures were inevitably architectonic in character, although frequently crudely carved, but curiously like much of the modern sculpture treated in

plane and broadly conceived to eliminate as much of the detail as possible.

An interesting if not convincing explanation is given for the curious deviation of the longitudinal axes of churches from the straight line, due to the piecemeal construction carried on and the desire to continue services throughout the periods of building operations. Much careless work was doubtless done, too, and situations for the emplacement of Church buildings were often bizarre, as in the Church of Notre Dame de Montmorillon, at the edge of a rocky cliff. This lack of mathematical precision, well pointed out, relieves many examples of Romanesque churches of hardness, monotony and the severity of too abundant use of the straight line.

The Carolingian builders preserved the vault and it is true but incorrect to suppose that all vault forms of the style were derived from Catalonia. The earliest known French vaulted nave is said to be that of St. Gilderic at Lavardin (Loir et Cher). To the archeologist the sequence of experiments is logical and necessarily vivid, to the student the development would seem slow, cumbersome and suggestive of an unimaginative approach.

There are other items in ecclesiology that are made clear by the writer—the relation of utility to planning; its free acceptance as a natural basis upon which to design relieves one of the tension that surrounds the plan as a thing of perfect symmetry executed with mechical exactitude and making no allowances for the accidental—the casual. Altogether it makes a satisfactory volume, with which to begin or even to add to a library well begun.

DE POENITENTIA. TRACTATUS DOGMATICO-HISTORICUS. Auctore Paulo Galtier, S.J. Editio recognita et indicibus aucta. Gabriel Beauchesne, via dicta de Rennes 117, Paris.

SIN AND PENANCE. By the Rev. P. Galtier; translated by the Rev. B. Wall, D.D. B. Herder Book Company, 15 South Broadway, St. Louis, Missouri.

The work *De Poenitentia* in Latin is one of the most important works on the Sacrament of Penance published in recent years. In its 466 pages is to be found an inexhaustible wealth of dogmatic and historical material. Whilst the author does not pretend to give us a complete history of the Sacrament, he avows his purpose to vindicate the immutability and development of the doctrine by an appeal to the testimony of writers of antiquity. Nor is it his purpose to treat of liturgy or moral questions. The dogmatic doctrine is disposed of in a series of theses in which the Catholic doctrine is succinctly

stated, its scope indicated, its antiquity established, all by ecclesiastical documents. The work is of very great help to one who wishes to delve more deeply into the dogma of the Sacrament of Penance than is generally possible in the pages of the ordinary manuals on theology.

The work on Sin and Penance by the same author is a popular treatment of Sin—its malice, consequences, conditions and means of remission, the nature and necessity of penance. In a word, the book presents to the English reader a fund of profound instruction on the means and methods left by our Redeemer for the remission of offences against His divine law. The volume is one of the series of the Catholic Library of Religious Knowledge.

THOMAS DONGAN, COLONIAL GOVERNOR OF NEW YORK, 1683-1688. By the Rev. Thomas P. Phelan. P. J. Kenedy and Sons, New York. 1933.

In its whole history New York has had only three Catholic governors, but even that is almost a record for any state in the Union. The last governor, as everyone knows, was Alfred E. Smith; the first was Colonel Thomas Dongan, appointee of then lord proprietor, the Catholic Duke of York (James II). These two governors had much in common, aside from race and creed. Both have been held as models by men of detachment who could overlook their religious beliefs and judge their work. Both deserve well of the Empire State for their honest and forward-looking administrations, their divorce from petty politics, their support of democracy and their interest in the common man. Of Dongan, Father Phelan writes interestingly and narrates his career with a minimum of exaggeration which biographers are apt to display. It is well that this volume has been contributed to our bookshelves. It would be well if American citizens knew more of our historic worthies, if they were better acquainted with the nation's story. They would learn that much which they regard as new is really very old, even some of the elements of the New Deal.

Thomas Dongan (1634-1715) was a scion of the Irish aristocracy; his father was a knight, a cavalry officer and a member of the Irish Parliament; his brother was in the Congress of Kilkenny; an uncle was Archbishop of Dublin; another uncle was Earl of Tyrconnell; and he himself died with the title, if not the estates, of the Earl of Limerick. He had served in France as a colonel in the Irish Brigade; he had been royal governor of Tangier. He was trained in languages, the arts of war and the intricacies of diplomacy.

He was an Irish gentleman who retained the faith and sacrificed all in the Jacobite cause. In New York he was a popular ruler and the city was already a babel of races, creeds and factions. In his régime the colony was given its Charter of Liberties and its first popular Assembly. In other words, there were guaranteed to the residents those famous rights of Englishmen which were won in principle, if not definitively in practice in that long struggle from Magna Charta to the autocracy of the Tudors. Dongan laid down the beginnings of an inter-colonial postal system; he gave an impetus to the construction of the inter-colonial post road. He won over the Iroquois Indians by honorable treatment and did much to make them loyal to the English in the wars with French Canada. He was a sound money man, and the colony was saved from paper money and land-grant banks. In his day there was religious and racial toleration. He dared for his soul's sake admit the Jesuits who established a badly needed preparatory school. And education in New York was sadly neglected. He commenced the development of Staten Island with his hunting lodge. Unlike many colonial executives Dongan left the colony a poor man with his scant estates sequestered by his political enemies. The rise of William and Mary in England and the Leisler Revolt in New York ended much for which Dongan had struggled. The new era saw toleration limited to Protestants, the enforcement of the penal laws and something of a decline in the Assembly's prerogatives. In brief this was the American career of Dongan as told by the author in an exquisitely published little volume.

COMMENTARIA IN I. P. SUMMAE THEOLOGICAE S. THOMAE AQUINATIS, O.P. A, Q XXVII ad Q XLIII (De Deo Trino). Auctore P. H. Buonpensiere, O.P. Published by "El Santissimo Rosario", Vergara, Spain.

This work was circulated in mimeograph copies as early as 1905. The printed edition, after revision and additions by the author, appeared shortly after Father Buonpensiere was called to his eternal reward. The volume comprises 506 pages with index of topics of special importance in the treatise on the Trinity.

The usual method is pursued: each article is commented, the title, if need be, explained, the necessary distinctions and explanations of technical theological terms are given; a brief history of errors, if any, is appended, and then the doctrine of the Angelic Doctor is stated in "conclusiones" and the arguments of the article are put in strict syllogistic form. The doctrinal importance of the teaching is indicated by the commentator after each conclusion, whether it be a

dogma of faith or the more probable theological opinion. In the printed edition especially is to be found a refutation of many recent theological errors.

The position taken by the author on disputed questions is that of the traditional Dominican school. To those who would familiarize themselves with a reliable exposition of that school's teaching on the disputed points of Trinitarian doctrine, a more reliable and dependable work is not to be found in recent Thomistic literature. The book is indispensable to the teacher who would expound the text of the *Summa Theologica* in the lecture room.

Literary Chat

The Report of the Fifteenth Annual Meeting of the Franciscan Educational Conference contains a number of fundamental papers in Philosophy that give it value. (Office of the Secretary of the Conference, Capuchin College, Washington, D. C.; 1933; pp. xxxvii+177). One paper in particular is selected for mention at this moment. The Report contains in a study of 76 pages a most satisfactory review of our literature on Evolution. It is entitled "The Evolution of Man: A Brief Outline of the Opinions for and against the Theory of Anthropological Transformation." The problem of Evolution has done more perhaps to test the unity of Christendom than any other theological or philosophical question. Naturally an enormous literature has resulted. Father Jerome Kobel, O. M. Cap., has searched the entire field with exacting care. He furnishes a bird's-eye view of what has been written in the past seventy-five years. One who wishes a balanced and scholarly view will find it here. The paper may be recommended as of very high informative value. No student of philosophy or observer of the trend of controversial thought should overlook Father Kobel's paper or fail to recognize the service that he has rendered by it.

An attempt has been made recently to throw light on the well known problem of Presbyter John. (*De Presbytero Joanne*, by Primus Vannutelli, Rome, R. Berruti and Co., 1933, pp. 62.) For some readers this little monograph may settle the Presbyter John problem; for others it may be a stimulus to fresh investigation. The author has assembled an imposing list of authorities in many languages and he has approached the subject from a new standpoint. Nevertheless there still remains the question; was the Presbyter John mentioned by Papias, identical with the Apostle John?

Fr. Andrea Oddone, S.J., has written a thoroughgoing work on the human actions (*Theoria degli Atti Umani*, Pubblicazioni della Università Cattolica del Sacro Cuore, Serie Settima; Scienze Religiose, Volume V. Milano, Società Editrice "Vita e Pensiero," 1933, pp. vii+262). The principal recommendation of this work is that it discusses moral problems in their broader aspects and takes up their more general relations without treating details. The author has gathered from dogmatic and moral theology, canon law, psychology and ethics, a wealth of pertinent material on the intrinsic and extrinsic principles of moral actions. The book should prove helpful to the professor of moral theology.

A work of two volumes containing 1666 pages by Emilio Campana offers an exhaustive account of devotion to

the Blessed Mother in all aspects. (*Maria nel Culto Cattolico,* Casa Editrice Mariette, Torino, 1933.) All feasts of the Blessed Virgin are described and all forms of prayer and devotion are included in the narrative. One-fourth of the second volume describes conventions of sodalities of Mary in Europe. The author discusses at great length the numerous relics that have been attributed to her. Notwithstanding the number and variety of such relics there is no trace of any claim for a relic of the body of the Blessed Virgin. This fact is accepted as evidence of the continued and universal belief in the Assumption.

The abundance of alleged relics and the improbabilities associated with many of them lead the author to admit the doubtful character of a number of them. But it appears that he would not welcome a critical examination of them lest a waning of devotion might follow. That this might be the case in certain localities and certain conditions, transeat. But no one should fear truth-seeking and authentication in this field, just as no one would wish to believe that devotion to the peerless Mother of Christ should in any way rest on error. As an illustration: Hair of different texture and colors is preserved in different countries and attributed to the Blessed Virgin. The author mentions several solutions of the difficulty. One attributed to the Jesuit Father Ferrand is that it is all a pious error. One fears that the same might be said about other alleged relics as well. Further illustration is unnecessary.

The Gregorian University Press continues the publication of *Textus et Documenta.* Numbers 7–8–9 and 10 of the Series Philosophica are at hand (Rome, 1933). One notes in particular number 7, in which John B. Schuster has collected and arranged those elements of Greek philosophy that influenced the scholastic concept of happiness. He gives the Greek texts, together with a very free Latin translation. Number 8 is Aristotle's first book *On The Soul,* a critical edition by Paul Siwek, together with the Latin translation and illustrative notes. The Greek text is that of Biehli, the variants being given. The numeration of Bekker is followed. Numbers 9 and 10 of the Series treat in the same way the second and third books respectively of Aristotle's Περι Ψυκης.

Those who have been aided in their preparation of sermons by the previous books of Father Frederick A. Reuter, will be glad to hear that he has written another, and this time one that is professedly for preaching to boys and girls of high-school age. The book is properly called *In Season* (Joseph F. Wagner, New York, pp. 311, $2.25), for the themes are taken from the Gospel, the Epistle or from one of the processional hymns of the Masses of the ecclesiastical year. Whatever the theme chosen, it always brings to light the lessons of these parts of the Mass, lessons that our boys and girls are glad to learn, for they resent the taunt that our highest form of worship is a closed book to them. The sermon on prayer based on the Introit of the tenth Sunday after Pentecost is typical of the entire book. The author does not believe that one must preach merely a series of "don't's". Our religion is positive worship of God. Young people especially will not be drawn to a loving practice of their faith except its truth and beauty be unfolded to them. The intriguing charm of the ecclesiastical year when once discovered by our boys and girls will continue a permanent influence in their life. The church year is a veritable treasure trove; there is needed only a new presentation of its ancient mysteries that never lose their appeal. Father Reuter has a pleasing way of drawing refreshingly new lessons that are not strained nor unnatural. More and more people are striving to live their lives in harmony with the life of the Church and they want an explanation of the various seasons. Father Reuter's *In Season* is a big step in that direction.

In his book, *To Whom Shall We Go?* (Benziger Brothers, New York, pp. 200) the Rev. Frederick Macdonell, S.J., reduces dogma to its least common denominator. The Bishop of Little Rock writes in his preface to the book, "There is nothing new in

this book, for there can be nothing new in the teachings of Christ. It is the same story of the unfailing and unswerving devotion of the Church, through two thousand years, to the truth her founder gave her." Nevertheless, Fr. Macdonell does seem to have added something all his own by the clear, convincing, and, above all, kindly manner in which he presents the answer to that question: To Whom Shall We Go?

The book treats in a non-controversial way subjects that are of interest to both Catholics and non-Catholics. Thus, in the chapter on Faith, the author explains clearly and thoroughly just why there can be no question of freedom in one's choice of a Religion. The book has been criticised as being "very elementary." Yet this fact may be its best recommendation, because the primary purpose of the author is to present in a simple and easy manner some of the most fundamental yet most misunderstood doctrines of the Church. The preacher will find the volume helpful in preparing doctrinal sermons.

The little volume, *A Flower of the Desert,* by Father M. Joseph Cassant (translated from the French by Mother M. St. Thomas — B. Herder Book Co., or Abbey of Gethsemani, Trappist P.O., Ky.; pp. 107) brings to light a recluse who made rapid progress on the path to perfection. In the few pages we can see the spark of Jesus' love fanned into a blaze that enveloped every action and desire of Father Joseph's religious life. Although intended primarily for the laity, still many of our seminarians would be encouraged by reading of the hard, uphill struggle of the Trappist. An epilogue makes mention of a number of favors granted through the young monk's intercession.

The half-smile of a saint, tantalizing as Mona Lisa's own, shines forth alike from either section of the double portrait that forms the frontispiece of *Virtue and Christian Refinement, according to the Spirit of St. Vincent de Paul* by Saint Don Bosco. (Translated by a Sister of Charity. Introductions by H. E. Cardinal Bourne and the Very Rev. Father Souvay, C.M. Herder, St. Louis; pp. 239.) When one man regards another as a hero, there are two natural consequences: he imitates the other's actions and publishes his virtues to all the world. Don Bosco regarded St. Vincent de Paul as a hero of sanctity. The result was twofold: he modeled his own conduct so closely upon the words, actions and virtues of the Saint that to-day he himself is enrolled among the Saints; and he gave to the world a volume, subtitled *A Month's Devotion to St. Vincent de Paul,* wherein under thirty separate headings he collects the words, actions and virtues of his ideal, to form a model for all who read. For one who has read the Life of St. Vincent there is here much added material for reflexion and imitation; for one who has not, there is sufficient to acquaint him with the life of that great charity-worker. An "Epitome of the Life of St. Vincent de Paul" precedes the body of the work, a short and pertinent "Practice" follows each chapter, and the book closes with a "Panegyric of the Saint for the Day of His Feast" and a dedication of the work to St. Vincent by the author.

Franciscan Studies, vol. XII (Wagner, New York, 1933, pp. viii+161) issues as its twelfth monograph, *The Ludwig-Missionsverein and the Church in the United States (1838-1918)* by Theodore Roemer, O.M.Cap., Ph.D. This is a reprint of a doctrinal dissertation done at the Catholic University. In these days of constant talk about European debts, it may be well to recall that Europe, through her various Catholic mission societies, gave millions of dollars to this country to help spread the cause of Christ. The author in the monograph under consideration studies in detail one of these mission societies known as the Ludwig-Missionsverein, founded in Munich, Bavaria, 12 December, 1838, for the purpose of giving financial assistance to the Catholic missions of Asia and America. The author estimates that this society alone subscribed to the missions in this country from 1844-1916 more than $1,000,000.00. This Missionsverein is but one of the three large European mission societies that were the principal benefactors of the Church in the United States, the other two being:

The Society for the Propagation of the Faith of Paris-Lyons (1822), and the Leopoldine Foundation of Vienna (1829).

Das Herz des Welterlösers (Herder: St. Louis, 1932), by Karl Richstätter, S.J., is a booklet of twenty-one short meditations on the cult of the Sacred Heart. After examining the cult in its dogmatic and historical roots, the author considers the twelve Promises made to St. Margaret Mary. He rightly warns against the extravagance of holding as inspired everything that the Saint wrote. Following the canons of sound mysticism, the revelations concerning the cult of the Sacred Heart must be interpreted in the light of dogmatic theology. This must be observed especially with regard to the ninth Promise — the Great Promise — made to those who make the novena of first Fridays. For, as mystics themselves point out, the intense reaction of the mind consequent on a vision or revelation makes it possible for one so favored to attach more significance to what was revealed than the Divine Author actually intended. In the dogmatic explanation, the ninth Promise can mean no absolute or infallible assurance of final repentance, but rather that the graces promised may be confidently and humbly expected by all who with the proper dispositions receive Holy Communion on nine consecutive first Fridays.

Radio addresses delivered early this year by Monsignor Duane G. Hunt, the Vicar General of the Diocese of Salt Lake and editor of the *Intermountain Catholic,* on current problems in connexion with immorality in motion pictures, have just been published in pamphlet form by the Intermountain Catholic Press. The pamphlet, entitled *The Motion Pictures and Morality,* discusses "The Motion Pictures and Crime," "The Motion Pictures and Problems of Sex," "No Excuse for Evil Motion Pictures," and "Reformation of the Motion Pictures." The foreword to the pamphlet is by the Most Rev. James E. Kearney, Bishop of Salt Lake.

The cultural and character value of properly directed play is winning increasing recognition everywhere in the world of formal education. This is one of the most significant changes in the history of our training of the young. The Summer School of the Catholic University takes account of this in the introduction of a Recreational Institute in connexion with its Summer School. Under the direction of the Rev. Dr. Paul H. Furfey, courses will be introduced in the 1934 Summer School to take up problems in the development of Recreational Leaders, programs of National Organizations, such as the Boy Scouts, Girl Scouts, Catholic Boys' Brigade, Camp Fire Girls, Commercial Recreation, and the Camping Movement. Representatives of these national organizations will coöperate in the program. The following paragraph taken from an announcement by the Recreational Institute indicates the general aim and tone of the work.

"Educators are realizing more and more clearly the importance of play in the child's life. Play builds healthy bodies and, what is more important, wholesome play is an excellent preventive for juvenile delinquency.

"Without training it is not easy to be a good play leader, just as it is not easy to be a good teacher without training. Play is a complicated thing and the child does not respond well to the leader who does not understand play.

"The Catholic University of America will open, as part of the summer session, a Recreational Institute for the training of play leaders. The courses offered will be intensely practical. Each subject will be handled by an expert. Moreover, through the generous coöperation of the District of Columbia Playground Department, students will have a chance to apply their knowledge in field work under expert supervision.

"The Institute offers an opportunity to interested persons to gain a really good foundation in play leadership in a reasonably short period. Regular academic credit will be allowed for all the courses."

Information concerning the work may be obtained by applying to Dr. Deferrari, Director of the Summer Session, or to the Rev. Dr. Paul H. Furfey, Director of the Recreational Institute, Catholic University, Washington, D. C.

Books Received

SCRIPTURAL.

THE GOSPEL ACCORDING TO ST. MATTHEW (from the Clementine Vulgate). With Introduction, Notes and Vocabulary by James A. Varni. Bruce Publishing Co., Milwaukee, Chicago, New York. 1934. Pp. 112. Price, $0.88.

ARABIA AND THE BIBLE. By James A. Montgomery, Professor of Hebrew and Aramaic, University of Pennsylvania; Professor of Old Testament Literature and Language, Divinity School of the Protestant Episcopal Church in Philadelphia. University of Pennsylvania Press, Philadelphia. 1934. Pp. x—207.

MANUEL D'ÉTUDES BIBLIQUES. Rédigé conformément aux directives données par S. S. Pie X aux professeurs d'Ecriture. Sainte Lettre apostolique "Quoniam in re biblica" (27 mars 1906). Par Messrs l'Abbés Lusseau (Docteur ès-sciences bibliques, professeur au Grand séminaire de Luçon) et Collomb (Liciencié ès-sciences bibliques, professeur au Grand Séminaire de Versailles). Tome II: Les Livres Historiques de l'Ancien Testament. Pierre Téqui, Paris-6e. 1934. Pp. xvi—1166. Prix, 60 *fr.*

THEOLOGICAL AND DEVOTIONAL.

MEDITATIONS ON THE LIFE OF CHRIST. Attributed to St. Bonaventure. Translated from the Latin by Sister M. Emmanuel, O.S.B. With a Preface by Fr. Maximus Poppy, O.F.M. B. Herder Book Co., St. Louis and London, W.C. 1934. Pp. xviii—441. Price, $2.75 *net.*

THE VIRGIN-MOTHER. By Sister Mary Paula, S.N.D. de N. Benziger Brothers, New York, Cincinnati, Chicago. 1934. Pp. vii—196. Price, $1.75 *net.*

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